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Applicant WELLS, David	

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(74) Agents: PARK, A., J. et al.; 6th Floor, Huddart Parker Building, Post Office Square, P.O. Box 949, Wellington 6015 (NZ).

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(71) Applicant and

(72) Inventor: WELLS, David [NZ/NZ]; 52 Enderley Avenue, Hamilton (NZ).

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(54) Title: NUCLEAR TRANSFER WITH SELECTED DONOR CELLS

(57) Abstract: The present invention provides a method of nuclear transfer by selecting and segregating G1 cells from a donor cell population. This method is advantageous over the prior art as it provides certainty as to the stage of the cell cycle which the donor nuclei are in and allows for the production of cloned transgenic or non-transgenic embryonic cells, reconstituted embryos and whole animals for agricultural, pharmaceutical, nutraceutical and biomedical applications.

NUCLEAR TRANSFER WITH SELECTED DONOR CELLS

The present invention concerns a novel method of nuclear transfer, specifically,
5 although by no means exclusively for use in cloning technologies for the production of mammalian embryos, fetuses and offspring, including genetically engineered or transgenic mammalian embryos, fetuses and offspring.

BACKGROUND

10 The stage of cell cycle of the donor nucleus and the recipient cytoplasm at the time of embryo reconstruction are important factors determining successful development following nuclear transfer. Specific combinations between the two "cells" are required to ensure a diploid set of chromatin following the first embryonic cell cycle and to
15 maximise the opportunities for nuclear reprogramming and subsequent development. When an interphase donor nucleus is fused with an enucleated metaphase-arrested oocyte (termed the cytoplasm or recipient cell), there is immediate nuclear envelope breakdown (NEBD) and the donor chromatin undergoes premature chromosome condensation (PCC)(Barnes *et al.*, 1993). These effects are induced by a cytoplasmic
20 activity termed maturation promoting factor (MPF, alternatively called meiosis- or mitosis-promoting factor; see review by Campbell *et al.*, 1996a). MPF activity during oocyte maturation is maximal at metaphase stages and declines rapidly upon either fertilisation or artificial activation. Thus, two types of cytoplasm may be used for reconstruction; those either high or low in MPF using either non-activated or activated
25 metaphase II (MII) cytoplasts, respectively.

Early studies which helped gain an understanding of the importance of cell cycle co-ordination in mammalian nuclear transfer for maintaining chromosome integrity and hence developmental potential, were performed with undifferentiated blastomeres (*ie* 30 non-specialised embryonic cells) from pre-implantation stage embryos in species such as rabbit, sheep and cattle. These studies revealed that the stage of the cell cycle of the donor nucleus and the length of exposure to MPF in the cytoplasm have marked effects

on the degree of PCC observed. The chromatin of S-phase nuclei exposed to MPF has a typically pulverised appearance and chromosomal studies reveal a high incidence of abnormalities (Collas *et al.*, 1992b). In contrast, with nuclei at G1 or G2 the chromatin condenses to form elongated chromosomes with either single- or double-stranded chromatids, respectively (Collas *et al.*, 1992b). Following a suitable stimulus to release the reconstructed embryo from metaphase-arrest and to activate development, the nuclear envelope reforms around the donor chromatin which then undergoes DNA synthesis regardless of its previous cell cycle stage. Thus, donor nuclei- in G1 initiate DNA synthesis which is compatible with normal development, while nuclei in G2 or S-phases either completely or partially re-replicate already replicated DNA so that by the end of the first embryonic cell cycle the DNA content in the two daughter cells will be incorrect leading to abnormal early embryonic development.

In contrast, these early studies demonstrated that when blastomere nuclei are transferred to cytoplasts after the disappearance of MPF, following a sufficient interval after cytoplasm activation, NEBD does not occur (so therefore neither does PCC) and it is the donor nucleus which controls DNA replication in accordance with its stage in the cell cycle at the time of transfer. Thus, nuclei in G1 or S-phases initiate or continue replication, respectively, while those in G2 are not induced to enter another round of DNA synthesis. Such pre-activated cytoplasts have been termed "universal recipients" (Campbell *et al.*, 1994) and are capable of co-ordinating the development of donor cells at any stage of the cell cycle. This has been especially important for cloning pre-implantation embryos where most undifferentiated blastomere nuclei are in S-phase at any one time (80-90%; Barnes *et al.*, 1993; Campbell *et al.*, 1994) and are therefore most compatible with transfer to cytoplasts low in MPF.

Following nuclear transfer, normal development will depend upon factors present within the oocyte cytoplasm (or additional factors introduced exogenously) being able to remodel chromatin structure and to appropriately reprogramme the pattern of gene expression of the donor nucleus. The mature cytoplasm contains the RNA transcripts and proteins to direct development of the normally fertilised cleavage-stage embryo up

to the normal time of genome activation, when embryonic nuclei begin the synthesis of their own RNA to direct embryogenesis. Donor nuclei obtained from embryos or cell types which have already passed this point must therefore cease their RNA synthesis after reconstruction and remain inactive until the newly reprogrammed maternal-
5 embryonic genome transition occurs. Following transfer, the donor nucleus is forced to reprogram to the zygotic state, and subsequently activate the appropriate genes at the correct levels, in the proper temporal and spatial manner for normal embryo development to occur. The mechanisms that achieve such nuclear reprogramming are currently not well understood.

10

Reprogramming and cell cycle co-ordination have become important topics given the recent interest in performing nuclear transfer with cells that can be maintained in culture. These cultured cells are more differentiated (*ie* possess a more specialised cellular function) than those used in the earlier studies with embryonic blastomere cloning. These cells can be isolated from either embryos, fetuses or adult animals.
15 Because there is access to larger numbers of cells, efficient nuclear transfer techniques with these differentiated cell cultures would enable in livestock species large scale multiplication of desirable genotypes and would facilitate the production of transgenic animals following genetic manipulation of the cultured cells

20

Early studies with actively growing, unsynchronised cultures of ovine embryonic cells (cell cycle stage unknown) fused to pre-activated cytoplasts did in fact produce lambs at term from early (Campbell *et al.*, 1995) but not later passage cells (Campbell *et al.*, 1996b). Subsequent studies, where the cells were deprived of serum for 5 days and
25 reported to be quiescent (*ie* whereby the cells supposedly exited the normal cell division cycle and entered a so-called "G0" state), yielded viable lambs following fusion with cytoplasts either before, after or simultaneous with activation at similar overall efficiencies (Campbell *et al.*, 1996b). These authors (Campbell *et al.*, 1996b; Schnieke *et al.*, 1997; Wilmut *et al.*, 1997; Patent WO 97/07669) suggest the
30 importance of using cells that have exited the normal cell division cycle and are synchronised in a quiescent or G0 state to facilitate nuclear reprogramming and enable

the production of cloned animals from differentiated cells. The preferred method of synchronising cells in quiescence (based on absence of proliferating cell nuclear antigen (PCNA) indicating no cells in S-phase) by the above authors has been by serum starvation for a suitable period of time. Recently, however, it has been
5 questioned as to what proportion of serum starved cells are actually in G0. Using dual parameter flow cytometry to simultaneously measure both cellular DNA and protein content (to distinguish between G0 and G1 cells in the diploid population, with quiescent cells having less RNA and protein) Boquest *et al.* (1999) investigated the cell cycle characteristics of cultured fetal pig fibroblasts. They demonstrated that
10 despite serum starvation for 5 days, less than 50% of cells were actually in G0 by their definition. By selecting "small" cells in the population, the proportion in G0 increased to 72% in the serum starved cultures (Boquest *et al.*, 1999).

As an alternative to the use of quiescent cells, Cibelli and colleagues (1998; and patent
15 specification WO 99/01163) reported the use of non-serum starved, randomly growing cultures of bovine cells fused to MII cytoplasts which were subsequently activated using ionomycin and 6-dimethylaminopurine (6-DMAP). However, it is not clear from these disclosures what the donor cell cycle stage was at the time of nuclear transfer in those resulting embryos that, ultimately yielded the cloned calves by these methods.

20

Similarly, there are other reports whereby cloned calves (Vignon *et al.*, 1998, 1999; Zakhartchenko *et al.*, 1999) and mice (Wakayama and Yangimachi, 1999) have been produced from non-serum deprived, randomly growing cell cultures. However, again, the stage of the donor cell cycle at the time of nuclear transfer which resulted in the
25 cloned offspring remains uncertain.

Thus, none of these aforementioned studies have demonstrated exactly what stage or stages of the cell cycle have resulted in that low proportion of reconstructed embryos which ultimately develop into viable offspring.

30

The above discussion highlights that to date there has been generally poor characterisation as to the stage of the cell cycle cultured donor cells are in at the time of nuclear transfer, which makes the state of the art uncertain and not easily replicated.

- 5 It would therefore be desirable to have a method of nuclear transfer which ensured that the stage of cell cycle of the donor nuclei were accurately known.

It is an object of the present invention to go some way towards achieving this desideratum or at least to provide the public with a useful choice.

10

SUMMARY OF THE INVENTION

According to a first aspect, the present invention provides a method of nuclear transfer, comprising selecting and segregating G1 cells from a proliferating or non-proliferating 15 population of donor cells and transferring a nucleus from such a segregated G1 cell into an enucleated recipient cell. The donor cell population may be at one or more known or unknown stages of the cell cycle.

Such a method provides certainty as to the stage of the cell cycle of the donor nuclei at 20 the time of embryo reconstruction and is therefore advantageous over the prior art.

The invention contemplates the use of cell cycle inhibitors to block randomly growing cells at specific stages of the cell cycle to produce a non-proliferating synchronised cell population. Preferably cell growth is blocked at mitosis and, following release from 25 the inhibitor, cells progressing into G1 phase are used for nuclear transfer.

Thus, in a second aspect, the invention provides a method of nuclear transfer which comprises transferring a nucleus from a cell segregated from a non-proliferating cell population which has been synchronised in the G1 stage of the cell cycle, into an 30 enucleated recipient cell.

Preferably said G1 cells are individually segregated from a randomly proliferating population or from a non-proliferating synchronised cell population at an early G1 phase.

- 5 Alternatively, the non-proliferation cell population may comprise senescent cells.

The segregated G1 donor cell is isolated from an animal *in vivo* or, more preferably, from a cell culture *in vitro*. Suitable cells may be derived from either embryos, fetuses, juvenile animals, through to fully mature adults. Practically any diploid karyotypically
10 normal cell that is capable of cell proliferation or a senescent cell could be used in the current invention. Cells could be of an undifferentiated cellular state or at any varying degree of cellular differentiation so long as they can be stimulated to enter the cell cycle and proliferate. Cells which are quiescent could be stimulated to enter the cell cycle with the appropriate culture conditions (such as by the addition of serum or
15 specific growth factors) and used for nuclear transfer in an early G1 state following mitosis. Some cell types may well prove to be more efficient than others, however, both adult and fetal fibroblasts and adult follicular cells have been found to be satisfactory. By way of demonstration of the invention, results are presented below in the bovine species (in examples 1-7) using two follicular cell lines, four skin fibroblast
20 cell lines and two genetically modified fetal fibroblast cell lines.

Preferably the recipient cell comprises an enucleated oocyte obtained from a species corresponding in origin to the donor nuclei. The enucleated oocyte may have either high or low MPF activity at the time of embryo reconstruction as either state is
25 compatible with a G1 donor nucleus with a 2C amount of DNA.

Alternatively, the recipient cell may comprise an enucleated stem cell or a clump of enucleated stem cells fused together. Preferably these stem cells are embryonic stem cells. Such embryonic stem cells that are used as the recipient cells in nuclear transfer
30 may be themselves isolated from a growing embryo or from already established stem cell lines in culture. In this case, nuclear transfer using donor nuclei from G1 cells

selected by the method of the invention may be carried out for the purposes of "therapeutic cloning".

According to a third aspect, the present invention provides a method of producing
5 cloned animal embryos by transferring a segregated donor nucleus in G1 phase,
preferably early G1 phase, into an enucleated recipient cell.

The methods of the present invention may be used to produce any animal embryo
species of interest including birds, amphibia, fish and mammals. Preferably the animal
10 embryo of interest is a mammal, including, but not limited to, primates including
humans, rodents, rabbits, cats, dogs, horses, pigs and most preferably, ungulates such
as cattle, sheep, deer and goats.

Preferably the cloned animal embryos have desirable genetic traits using genetically
15 modified nuclei by methods known in the art.

According to a fourth aspect, the present invention provides a reconstituted animal
embryo prepared by the methods of the invention including a reconstituted transgenic
animal embryo. The embryos so formed may then be either re-cloned to further
20 increase embryo numbers or undergo serial nuclear transfer to further aid nuclear
reprogramming and/or developmental potential.

According to a fifth aspect, the present invention provides a method of cloning a non-
human animal comprising (1) producing a cloned animal embryo according to the
25 method of the invention described above; (2) allowing an animal to develop to term
from the embryo by known methods; and (3) optionally breeding from the animal so
formed either by conventional methods or by cloning according to the methods of the
present invention.

30 The methods of the present invention may be used to produce a non-human animal
species of interest including birds, amphibia, fish and mammals. Preferably said non-

human animal is selected from the group comprising non-human primates, rodents, rabbits, cats, dogs, horses, pigs and most preferably ungulates such as cattle, sheep, deer and dogs.

- 5 According to a sixth aspect, the present invention provides a cloned non-human animal prepared by the methods of the invention, described above, as well as to the offspring and descendants of such cloned non-human animals.

The methods of the present invention may be used to produce non-human animals,
10 preferably mammals, having desirable genetic traits using genetically altered donor nuclei by methods well known in the art. Transgenic animals produced by such methods also form part of the present invention.

The present invention can also be used to produce embryonic cell lines, embryonic
15 stem cells, fetuses or offspring which can be used, for example, in cell, tissue and organ transplantation.

Accordingly, in a further embodiment, the present invention provides a method of producing an embryonic cell line comprising the steps a) selecting and segregating G1
20 cells from a proliferation population of donor cells of unknown cell cycle or from a synchronised population of G1 cells and transforming a nucleus from such a segregated cell into an enucleated recipient cell; b) growing to blastocyst stage; c) recovering embryonic cells; and d) establishing an immortalised cell line *in vitro* by methods known in the art.

25

In a further embodiment there is provided a method of producing animal embryonic stem cells comprising the steps of a) selecting and segregating G1 cells from a growing population of animal donor cells at various unknown stages of the cell cycle, or from synchronised cultures of G1 cells, and transferring the nucleus from such segregated
30 cells into an enucleated animal recipient cell; b) growing to blastocyst stage; c) recovering embryonic stem cells.

Preferably, the animal donor cell used in the above methods is of human origin. Most preferably, both the animal donor and recipient cells used in the above methods are of human origin.

5

Most preferably, the donor cells are adult or fetal cells selected from any karyotypically normal cell type and the recipient cells are selected from any cell type capable of reprogramming gene expression including enucleated oocytes or embryonic stem cells.

- 10 The embryonic stem cells produced by the method of the invention are pluripotent and may be induced to differentiate in culture to form purified populations of specialised types of human cells including nerve cells such as neurons, astrocytes, oligodendrocytes; liver cells; muscle cells such as myocytes; heart cells such as cardiomyocytes, haematopoietic cells, pancreatic cells and any other cell type of interest by methods known in the art.
- 15

Such specialised human cells and tissues may then be used for transplantation for treatment of specific diseases or injuries where the damaged cells are unable to replace themselves or replace themselves effectively. Where the human donor cell was derived from a patient in need of such a transplant, such a transplanted tissue would not be rejected by the patient as the tissue would be genetically identical to the patient.

20 Alternatively, such differentiated cells and tissues could be used to treat diseases or injuries, for example, various neurological disorders (eg Parkinson's disease), diabetes, heart disease, muscular dystrophy, various hereditary diseases, specific cancers (eg leukemia), spinal cord injury, burns and other afflictions.

These methods are known as "therapeutic cloning" in the art.

- 25
- 30 The *in vitro* differentiation of human embryonic stem cells to specific cell types may be also beneficial for drug discovery and toxicology studies for human medicine.

Thus, in a further aspect, the present invention provides a method of drug discovery and toxicology testing of drugs using *in vitro* differentiated human embryonic stem cells produced by the methods of the present invention.

5

According to a still further aspect, the present invention provides a method of xenotransplantation whereby cells, tissues and organs may be isolated from cloned non-human animals and their offspring produced according to the methods of the invention, and used for transplantation in human patients in need of such therapy.

- 10 Where such cells, tissues or organs comprise a transgene, such cells, tissues or organs may be useful in gene therapy or to moderate the patient's immune response to the xenogenic tissue.

DESCRIPTION OF THE FIGURES

15

The present invention will now be described by reference to the figures of the accompanying drawings in which:

- 20 Figure 1 shows the survival rate throughout the gestation of cloned cattle embryos reconstructed with follicular cells either in G0 or G1 of the donor cell cycle;

Figure 2 shows the survival rate throughout gestation of cloned cattle embryos reconstructed with adult female skin fibroblasts either in G0 or G1 of the donor cell cycle;

25

Figure 3 shows the survival rate throughout gestation of cloned cattle embryos reconstructed with adult female skin fibroblasts (3XTC cells) either in G0 or G1 of the donor cell cycle;

Figure 4 shows embryonic survival throughout gestation of cloned cattle embryos reconstructed with adult male skin fibroblast cells (LJ801 cells) either in G0 or G1 of the donor cell cycle;

5 Figure 5 shows embryonic survival throughout gestation of cloned transgenic cattle embryos reconstructed with genetically modified female fetal lung fibroblast cells (casein plus 5110 cells) either in G0 or G1 stages of the donor cell cycle; and

10 Figure 6 shows embryonic survival throughout gestation of cloned transgenic cattle embryos reconstructed with non-proliferating, senescent female fetal fibroblasts (561 cell line).

DETAILED DESCRIPTION OF THE INVENTION

15 The present invention is directed to an improvement of the known techniques for the cloning of mammalian embryos by nuclear transfer. Although it is contemplated that the embryo cloning procedure of the present invention may be utilised in a variety of mammals and, indeed other animal species, the procedure will be described with reference to the bovine species. It is an essential feature of this invention that the
20 donor nuclei are in G1 phase and, preferably, in early G1 phase.

One approach in obtaining G1 cells with certainty from a randomly growing population of cultured cells is to individually pick mitotic cells from the culture surface, and allow them to complete mitosis in medium containing 10% fetal calf serum (FCS). Such
25 donor cells are then fused to recipient cells, (*ie* cytoplasts) within a short period of time following mitosis, such as three hours in common practice and before entry into S-phase, as may be detected by BrdU labeling. In this way they are assured of being in the early phase of G1 and possess a 2C amount of DNA. Thus, the cycling cells are used for nuclear transfer before they have progressed to the G1/S boundary. The
30 selected cells remain in high serum-containing medium throughout the manipulations,

at least until after fusion with the cytoplasm has been completed. Thus, the cells are not induced to exit the cell division cycle and do not become quiescent at any point.

Although the present invention contemplates the production of a synchronised population of G1 cells for use in nuclear transfer, one advantage of the methods of the present invention is that they do not necessitate the use of potentially cyto-toxic or perturbing cell synchronisation agents such as nocodazole or colchicine to, for example, pre-synchronise a higher proportion of cells in M-phase before subsequent release from this block and selection of cells in early G1 following cell division.

- 5 However, in order to select larger numbers of G1 cells or to reversibly arrest cells at specific points during the G1 phase for use in nuclear transfer, it may be advantageous, according to the present invention, to utilise suitable reagents i.e. cell cycle inhibitors at appropriate drug concentrations and incubation times. Such reagents and methods will be known to people skilled in the art. Methods may include a pre-synchronisation
10 treatment to reduce drug exposure times, by for example, temporarily inducing cells to enter G0 by serum deprivation before re-adding serum and allowing the cells to re-enter at the G0/G1 boundary or restriction point and progress through the cell division cycle. Suitable reagents to reversibly arrest cells in various points in G1 (as shown in Gadbois *et al.*, 1992 and references therein) include: (1) staurosporine (a non-specific
15 kinase inhibitor used at extremely low concentrations in the nano-molar range); (2) more specific kinase inhibitors on cell cycle progression, such as for example inhibitors of cAMP-dependent protein kinase and cGMP-dependent protein kinase; (3) lovastatin; (4) isoleucine deficiency; and (5) aphidicolin or hydroxyurea used in a manner to prevent entry into S-phase and block cells at the G1/S boundary.

25

- Since G1 donor nuclei have a 2C amount of DNA (i.e. it is diploid) they may be reconstructed with cytoplasts possessing either a high or low amount of MPF. That is to say, G1 nuclei may be introduced into cytoplasts either before, after or at the same time as activation occurs. However, for improved development of the cloned embryos
30 it is preferable to expose the donor nucleus (introduced either following electrically-induced cell fusion or direct nuclei injection) to factors present within the cytoplasm of

the enucleated oocyte for a suitable period of time in order to facilitate nuclear reprogramming. This has been termed "fusion before activation" or FBA. Previous work has demonstrated the benefits of this approach compared to essentially "simultaneous fusion and activation" or AFS (Stice *et al.*, 1996; Wells *et al.*, 1998; 5 1999). Furthermore, it is recommended that exposure to the cytoplasm be at least greater than one hour duration and preferably between 3-6 hours in order to improve rates of development to the blastocyst-stage. With this method, however, it is important to prevent by some suitable means the micro-nuclei formation which occurs when fusion precedes activation (Czolowska *et al.*, 1984) in order to maintain the correct 10 ploidy in the resulting embryo.

Below is outlined a method for reconstructing and producing cloned embryos, in the bovine species, derived from both G0 (control) and G1 cultured donor cells. In this particular example described below, bovine follicular cells collected from ovarian 15 follicles were used with results presented in examples 1-3 (the use of fibroblast cell lines is illustrated in examples 4-7). In practice, essentially any cell type possessing a normal diploid karyotype, including embryonic, fetal, juvenile and adult cells, which is either proliferating or can be induced to enter the cell cycle or senescent may prove totipotent using this technology. In addition, any other method known in the art may 20 be used to reconstitute and produce cloned embryos as would be appreciated by a person skilled in the art.

In Vitro Maturation of Oocytes

25 Slaughterhouse ovaries were collected from female cattle and placed in saline (30° C) and transported within 2 hours to the laboratory. Cumulus-oocyte complexes (COCs) were recovered by aspiration of 3-10 mm follicles using an 18-gauge needle and negative pressure. (Alternatively, immature oocytes could be collected from donor cows via ovum pick-up and subsequently matured *in vitro*). COCs were collected into 30 HEPES-buffered Tissue Culture Medium 199 (H199; Life Technologies, Auckland, New Zealand) supplemented with 50 µg/ml heparin (Sigma, St. Louis, MO) and 0.4%

w/v BSA (Immuno-Chemical Products (ICP), Auckland, New Zealand). Before *in vitro* maturation, only those COCs with a compact, non-atretic cumulus oophorus-corona radiata and a homogenous ooplasm were selected. They were washed twice in H199 medium + 10% FCS (Life Technologies) before being washed once in bicarbonate-buffered Tissue Culture Medium 199 medium + 10% FCS. Ten COCs were transferred in 10 µl of this medium and placed into a 40 µl drop of maturation medium in 5-cm petri dishes (Falcon, Becton Dickinson Labware, Lincoln Park, NJ) overlaid with paraffin oil (Squibb, Princeton, NJ). The maturation medium comprised Tissue Culture Medium 199 supplemented with 10% FCS, 10 µg/ml ovine FSH (Ovagen; ICP), 1 µg/ml ovine LH (ICP), 1 µg/ml oestradiol (Sigma), and 0.1 mM cystamine (Sigma). Microdrop dishes were cultured at 39° C in a humidified 5% CO₂ in air atmosphere for 18-20 hours. After maturation, the cumulus-corona was totally removed by vortexing COCs in 0.1% hyaluronidase (from bovine testis; Sigma) in HEPES-buffered Synthetic Oviduct Fluid (HSOF; Thompson *et al.*, 1990) for 3 minutes, followed by three washes in HSOF + 10% FCS.

Nuclear Transfer with Cultured Cells

a) **Media** Matured oocytes, cytoplasts and reconstructed embryos were either held or manipulated in H199-based media for the period following maturation and until fusion was assessed 15-30 minutes after the electrical pulses. Embryos that were reconstructed by fusing donor cells and MII cytoplasts 3-6 hours before activation (FBA treatment) were cultured in AgResearch Synthetic Oviduct Fluid medium (AgR SOF; which is a modified formulation to that described in Gardner *et al.*, 1994, and is commercially available from AgResearch, Hamilton, New Zealand) minus calcium + 10% FCS until just before activation some 3-6 hours later. Following this point, calcium was present in all media formulations used.

b) **Enucleation** Oocytes matured for approximately 18-20 hours were enucleated with a 15-20 µm (external diameter) glass pipette, by aspirating the first polar body and the MII plate in a small volume of surrounding cytoplasm. The oocytes were

previously stained in H199 medium containing 10% FCS, 5 µg/ml Hoechst 33342 and 7.5 µg/ml cytochalasin B (Sigma) for 5-10 minutes and manipulated in this medium but without Hoechst 33342. Enucleation was confirmed by visualising the karyoplast under ultraviolet light. Following enucleation, the resulting cytoplasts were washed 5 extensively in H199 + 10% FCS and held in this medium until injection of donor cells.

c) **Preparation of quiescent (G0) donor cells** Cultured follicular cells were induced to enter a period of quiescence by serum deprivation (Campbell *et al.*, 1996b). One day after routine passage, the culture medium was aspirated and the cells washed 10 three times with fresh changes of PBS before fresh culture medium containing only 0.5% FCS was added. The follicular cells were returned to culture for a further 9-23 days (commonly 10 days) in low serum before they were used for nuclear transfer. Immediately before injection, a single cell suspension of the donor cells was prepared by standard trypsinization. The cells were pelleted and resuspended in H199 + 0.5% 15 FCS and remained in this medium until injection.

d) **Preparation of G1 donor cells** Proliferating follicular cells were cultured in an appropriate medium (for example DMEM/F12 plus 10% fetal calf serum) on glass coverslips in the culture dish. These coverslips containing the cells growing on their 20 surface may be physically picked out of the culture dish in a sterile manner and placed into a suitably constructed micro-manipulation chamber, to enable cell or nuclei collection and injection. A droplet of HEPES-buffered medium containing 10% FCS is placed onto the cells which is then overlaid with mineral oil. So long as the density of the cells on the coverslip is not too high, it is possible to identify and with care, 25 physically pick the mitotic cells off the coverslip with a manipulation pipette since they have rounded up and are only loosely attached to the culture surface during mitosis. If this proves difficult, one may briefly wash the cells with PBS before introducing a dilute concentration of trypsin solution (such as at one-tenth the strength used for routine sub-cultivation of the cultured cell line) containing 1.5 µg/ml cytochalasin B, 30 principally to minimise any mechanical damage induced during physical removal of the cells from the coverslip. With suitable microscopy (for example phase contrast or

DIC optics) mitotic cells are identified on the coverslip primarily by visualising condensed chromatin on a mitotic spindle or by identifying condensed chromatin in a cell doublet, still connected by a cytoplasmic bridge, undergoing telophase stage of mitosis. Thus, there is no need to use a DNA specific flurochrome such as Hoechst 5 33342 and expose cells to UV light. With the aid of the injection pipette mounted on the manipulator, these mitotic cells are individually picked off the coverslip and placed into an adjacent droplet of HEPES-buffered medium containing 10% FCS to enable complete mitosis and eventual cell cleavage to form a doublet of cells. The diameter of the pipette should be of a suitable size, dependent upon the cell line, so as to not 10 physically damage the cell or the spindle during manipulation. Thus, mitotic cells preferably in anaphase or telophase stages are individually selected, removed and allowed to complete mitosis and cleave in two. These cell doublets are then gently separated into individual cells which may be easily achieved by brief exposure to a suitable enzymatic solution. Each intact cell is then injected and fused to the cytoplasm. 15 Alternatively the cell nucleus may be isolated and injected directly into the cytoplasm of the enucleated oocyte. Preferably the introduction of the donor nucleus into the cytoplasm is completed within three hours of originally picking the mitotic cell off the culture surface. This ensures that the cultured cells are fused at an early G1 stage of the cell cycle and before S-phase occurs. With each individual cell type or cell line 20 used this should be confirmed by, for example, negative BrdU labeling of a sample of the selected cells. In addition, confirmation that the cells so picked by this method are in fact cycling and do enter S-phase at some latter point is recommended.

e) **Microinjection** Recipient cytoplasts were dehydrated in H199 containing 25 10% FCS and 5% sucrose. This medium was also used as the micro-manipulation medium. A suitably-sized pipette (e.g. 30-35 µm external diameter), containing the donor cell, was introduced through the zona pellucida and the cell wedged between the zona and the cytoplasm membrane to facilitate close membrane contact for subsequent fusion. Following injection, the reconstructed embryos were rehydrated in two steps; 30 firstly in H199 containing 10% FCS and 2.5% sucrose for 5 minutes and then in H199 + 10% FCS until fusion.

f) **Cell fusion** For both the G0 and G1 cell treatments embryos were reconstructed using the FBA (fusion before activation) strategy. Reconstructed embryos were electrically fused at approximately 24 hours post-start of maturation (hpm) in buffer comprising 0.3 M mannitol, 0.5 mM HEPES and 0.05% fatty acid free (FAF) BSA with 0.05 mM calcium and 0.1 mM magnesium. Fusion was performed at room temperature, in a chamber with two stainless steel electrodes 500 µm apart overlaid with fusion buffer. The reconstructed embryos were manually aligned with a fine, mouth-controlled Pasteur pipette, so that the contact surface between the cytoplasm and the donor cell was parallel to the electrodes. For the follicular cells, cell fusion was induced with two DC pulses of 2.25 to 2.50 kV/cm for 15 µs each, delivered by a BTX Electrocell Manipulator 200 (BTX, San Diego, CA) (optimal electrical parameters need to be identified for each cell line). Following the electrical stimulus, the reconstructed embryos were washed in H199 + 10% FCS. They were then checked for fusion by microscopic examination within 15-30 minutes.

The electrical fusion parameters above are not expected to cause significant rates of activation with young cytoplasts used at 24 hpm, since less than 1% of control oocytes (n=112) at the same age formed pronuclei after a similar electrical stimulus (Wells *et al.*, 1999). This is important for the FBA treatment, so that NEBD and PCC do occur, allowing exposure of the donor chromatin of the G1 and G0 nuclei to factors present within the oocyte cytoplasm to enable chromatin remodeling and nuclear reprogramming.

Alternatively, the nuclei from cells in G1 may be isolated and injected directly into the oocyte cytoplasm as known by a person skilled in the art.

g) **Activation** There are a variety of methods to effect artificial activation. One particular method involves the combination of ionomycin (Sigma) and 6-dimethylaminopurine (6-DMAP; Sigma) (Susko-Parrish *et al.*, 1994). Following fusion, embryos were activated preferably after the donor nuclei have been exposed to

the oocyte cytoplasm for a period of 3-6 hours. This preferred method has been termed "fusion before activation" (FBA; Wells *et al.*, 1998). Thirty minutes before activation, fused embryos in the FBA treatment were washed and held in HSOF (containing calcium) + 1 mg/ml FAF BSA. Activation was induced by incubation in 30- μ l drops 5 of 5 μ M ionomycin (Sigma) in HSOF + 1mg/ml FAF BSA for 4 minutes at 37° C. Activation commonly occurred in cytoplasts aged between 27-30 hpm. Embryos were then extensively washed in HSOF + 30 mg/ml FAF BSA for 5 minutes before culture in 2 mM 6-dimethylaminopurine (6-DMAP; Sigma) for 4 hours in AgR SOF (plus calcium) + 10% FCS.

10

The improved rates of embryo development that result from a period of prolonged exposure of the nucleus to oocyte cytoplasm as in the FBA methodology (Stice *et al.*, 1996; Wells *et al.*, 1998; 1999) must be combined with suitable treatments to prevent micronuclei formation occurring following such delayed activation (Czolowska *et al.*, 15 1984). A serine-threonine kinase inhibitor such as 6-DMAP appears to be one suitable reagent. 6-DMAP therefore allows for the formation of a single intact nucleus following the initial activation stimulus thus, maintaining the correct ploidy in the reconstructed embryo.

20 **In Vitro Culture of Nuclear Transfer Embryos**

Embryo culture was performed in 20 μ l drops of AgR SOF (commercially available from AgResearch, Hamilton, New Zealand) overlaid with paraffin oil. AgR SOF is a modified formulation of SOFaBSA (containing 8 mg/ml FAF BSA; as described by 25 Gardner *et al.*, 1994). Whenever possible, groups of up to 10 embryos were cultured together in droplets of medium. Embryos were cultured in a humidified modular incubator chamber (ICN Biomedicals, Aurora, OH) at 39° C in a 5% CO₂: 7% O₂: 88% N₂ gas mix. On Day 4-5 of development (Day 0 = day of embryo reconstruction), embryos were transferred to fresh 20 μ l drops of AgR SOF plus 10 μ M, 2, 4-dinitrophenol acting as an uncoupler of oxidative phosphorylation to improve the *in vitro* development of bovine embryos as taught in published patent specification No. 30

WO 00/38583, which is incorporated herein by reference. On Day 7 post fusion, development to transferable-quality blastocysts was assessed.

Embryo Transfer, Pregnancy Diagnoses and Calving

5 The transfer of embryos, diagnosis of pregnancy and calving management were carried out using skills well known in the art.

Serial Nuclear Transfer and Recloning

10 In a further embodiment of the invention, it may be desirable to reclone the first generation cloned embryos originally produced by reconstructing a donor cell in G1 with a suitable recipient cell. Recloning may be achieved by disaggregating a pre-implantation stage embryo into individual cells and then fusing each of these to
15 suitable recipient cytoplasts. As would be appreciated by a person skilled in the art, this form of embryonic cell (or blastomere) cloning requires co-ordination of the cell cycles between the donor and recipient cells to avoid chromosomal abnormalities and optimise development. Preferably donor cells are obtained when the first generation cloned embryo is at the morula stage (approximately 32 cells in cattle) but the embryo
20 could be at either earlier or later stages of development. Alternatively, one could firstly generate a cloned fetus produced from a G1 cultured donor cell, then re-derive a fetal cell line and reclone embryos using this new cell line. This recloning approach may provide an advantage in nuclear reprogramming by prolonging the period of exposure of the original donor nucleus to oocyte cytoplasm during the early pre-
25 implantation period. It also has the advantage of multiplying the numbers of cloned embryos available from the first generation founder embryo, to produce cloned embryos in the second generation, third generation and so on.

30 Serial nuclear transfer involves the sequential transfer of nuclei to suitable recipient cell cytoplasmic environments. As an embodiment of the present invention, it may be desirable to firstly reconstruct a one-cell embryo with a G1 donor cell and a non-

activated recipient cytoplasm high in MPF. This will allow NEBD and PCC and when followed by an activation stimulus, an intact diploid nucleus will be formed. This nucleus (that has undergone nuclear remodeling and a degree of nuclear reprogramming) may then be aspirated as a karyoplast from the one-cell cloned embryo
5 and be sequentially transferred to an enucleated zygote at an appropriate stage post-fertilisation. Embryo development is then allowed to proceed. Such a sequential serial nuclear transfer process may improve nuclear reprogramming. It may also result in improved development as a result of the second nuclear transfer step introducing the nucleus into a cytoplasmic environment which has been more appropriately activated
10 into embryonic development as a consequence of having undergone fertilisation with a sperm.

Production of Transgenic Animals

15 The production of transgenic livestock following nuclear transfer with genetically modified donor nuclei at the G1 stage of the cell cycle will likely be a more efficient and versatile approach than pronuclear injection of DNA into zygotes (Wall *et al.*, 1997) or sperm-mediated transgenesis involving intra-cytoplasmic injection of sperm and exogenously-bound DNA (Perry *et al.*, 1999). The advantages of the nuclear transfer approach with cultured cells include; (1) a far wider range of genetic manipulations are possible; (2) it more readily enables genetic manipulation on a high genetic background using a cell line as opposed to collecting oocytes or zygotes; (3) all of the resulting cloned offspring are transgenic and of the desired sex; and (4) there is the opportunity to produce instant flocks and herds generating useful product in a
20 shorter timeframe compared to producing individual founder animals with the pronuclear injection approach or sperm-mediated transgenesis.
25

Cultured cells may be genetically altered by any known method to insert, remove or modify a desired DNA sequence. Modifications include the random insertion of new
30 DNA sequences (which may be heterologous), site specific insertion of DNA and homologous recombination which allow the insertion, deletion or modification of a

DNA sequence at a specific site in the genome. Following cell selection and DNA analyses to verify the desired genetic modification using methods known in the art, karyotypically normal transgenic cells may then be selected in G1 phase of the cell cycle and used for nuclear transfer to generate cloned / transgenic animals.

5

There are a wide variety of opportunities available for genetically modifying livestock for both biomedicine and agriculture, depending upon the specific genes that are manipulated. The areas of opportunity include; (1) production of pharmaceutical proteins in milk, blood or urine; (2) production of nutraceutical products and medical foods, for example in milk; (3) manipulation of agricultural production traits, for example improving the quantity and quality of milk, meat and fibre and improving disease and pest resistance, (4) production of industrial proteins in milk, for example; (5) xenotransplantation; (6) generating livestock as models for human disease, for example cystic fibrosis and Huntington's disease.

15

Therapeutic Cloning

A significant impact of nuclear transfer and embryonic stem cell technologies may be 20 in the area of human cell-based therapies (Pedersen, 1999). Patients with particular diseases or injuries in tissues which neither repair nor replace themselves effectively (as occurs in diabetes, muscular dystrophy, spinal cord injury, certain cancers and various neurological disorders, including Parkinson's disease, etc) could potentially generate their own therapeutic tissue for transplantation, offering prolonged or lifelong 25 treatment. Initially, this approach would employ human nuclear transfer. This may involve collecting a small sample of healthy tissue from a human patient suffering a particular disease or injury and stimulating the proliferation of cells in culture. By selecting donor cells in G1 of the cell cycle and fusing them to a suitable recipient cell it may be possible to reprogramme the nucleus. If the recipient cell were an enucleated 30 human oocyte then the reconstructed embryo, following a suitable activation stimulus, could be grown in an appropriate embryo culture medium to the blastocyst stage. Under suitable culture conditions (Thomson *et al.*, 1998) human embryonic stem cells

may then be derived from the inner cell mass of such a cloned embryo which would be genetically identical to the patient which donated the cultured cells.

By "embryonic stem cells" we mean cells isolated from any pluripotent cell types present within the embryo, and are preferably isolated from the inner cell mass of the blastocyst stage embryo by methods well known in the art.

The embryonic stem cells so produced by the method of the invention would be undifferentiated, pluripotent (potentially capable of differentiating into almost any cell type in the body) and possess essentially unlimited proliferative capacity *in vitro*. Alternatively, cell lines isolated from the inner cell mass may be somewhat more differentiated and possess a more limited ability to differentiate into a wide variety of cell types, but may still be therapeutically useful. Based on experience with mouse embryonic stem cells, suitable conditions can be developed which enable the production of purified populations of specific differentiated cell types such as nerve cells, haematopoietic cells, cardiomyocytes, etc to treat specific disorders (eg insulin-producing pancreatic cells for diabetes or dopamine-producing nerve cells for Parkinson's disease). These genetically compatible cells could then be administered back to the human patient, in order to regenerate normal tissue *in situ* following transplantation. Because the cells are genetically identical to the patient they will not be rejected and so there would be no or little need for immuno-suppressive drugs. It may also prove beneficial to generate "universal" embryonic stem cell lines for allogenic transplantation following systematic modification of loci such as major histocompatibility complex genes that play an important role in the recognition of foreign cells by the immune system.

Some applications may involve the genetic modification of the embryonic stem cells prior to differentiation and transplantation. This may be for the purposes of gene therapy to deliver a therapeutic drug for treatment or to correct a genetic defect in somatic cells such as occurs in the dystrophin gene in the skeletal muscle of patients with Duchenne muscular dystrophy.

The differentiation of human embryonic stem cells to specific cell types may also be beneficial for drug discovery and toxicology studies for human medicine, in addition to transplantation therapy with cells, tissue or organs.

5

In addition, cells, tissues and organs may be isolated from cloned non-human animal offspring, and used for transplantation in human patients in need of such therapy (xenotransplantation). Where such cells, tissues or organs comprise a transgene, such cells, tissues or organs may be useful in gene therapy or to moderate the patient's immune response to the xenogenic tissue.

10

Recipient cells for human applications

15 In the method of nuclear transfer according to the invention, the preferred recipient is an enucleated oocyte prepared by the method disclosed above. However, for human applications this may prove difficult.

An alternative source of recipient cells to reprogramme differentiated somatic nuclei
20 may be embryonic stem cells. Thus, somatic cells from a patient requiring some form of cell-based therapy may be de-differentiated in culture without the requirement of human oocytes. This may be achieved by fusing a healthy somatic cell in G1 of the cell cycle to an enucleated embryonic stem cell or a group of embryonic stem cells (to provide a larger mass of cytoplasm for reprogramming). It would be necessary to
25 control the state of the cell cycle of the recipient stem cells, preferably this would be at M-phase or G1-phase at the time of fusion. In this way, the differentiated nucleus of the somatic cell may be de-differentiated following exposure to the cytoplasm of the stem cell. The resulting reconstructed cell may have multipotent or pluripotent developmental potential, and may be induced to form an array of other specialised cell
30 types useful for therapy. This concept has been previously demonstrated in hybrid cells produced by fusing thymic lymphocytes and embryonic germ cells (Tada *et al.*, 1997).

The invention will now be exemplified by the following examples which are not intended to limit the scope of the invention as would be appreciated by a person skilled in the art.

5

Example 1. Effect of follicular donor cells synchronised in either G0 or G1 on *in vitro* development following nuclear transfer.

In this particular experiment, a primary cell line of follicular granulosa cells were used
10 for nuclear transfer. The cell line was denoted as "J1" and was derived from a New Zealand Jersey heifer. J1 cells were used in this experiment between passage numbers 7-8 of culture.

Donor cells were synchronised at two stages of the cell cycle for comparison:

15

- (1) **G0 cells** were obtained following serum deprivation by culture in medium containing 0.5% FCS for 10-11 days.
- (2) **G1 cells** were fused to cytoplasts within 1-3 hours following completion of mitosis.

20

Negative BrdU labeling confirmed that J1 cells fused within 3 hours of mitosis had not entered S-phase and were in G1 of the cell cycle.

Embryos reconstructed with donor cells from the two cell cycle treatment groups in
25 this experiment were cultured *in vitro* in AgR SOF medium supplemented with Life Technologies BSA (Life Technologies product number 30036-578).

Results of *in vitro* development are presented in Table 1. Donor cells in G0 (control) and G1 stage of the cell cycle were equally efficient at fusing with the cytoplasm
30 (recipient cell) by means of electrically-mediated fusion. There was also no difference in the proportion of fused reconstructed embryos placed into *in vitro* culture that

developed to blastocysts between the G0 and G1 donor cell treatment groups as shown in Table 1, below.

Table 1: *In vitro* development of cloned embryos reconstructed with J1 follicular cells at either G0 or G1 stages of the cell cycle and cultured in AgR SOF medium supplemented with Life Technologies BSA (mean ± s.e.m.).

<i>Stage of cell cycle</i>	<i>Fusion</i>	<i>Grade 1-2 Blastocysts</i>	<i>Total Development</i>
G0 (n=152)	86 ± 5.2%	24 ± 1.1%	77 ± 6.4%
G1 (n=186)	78 ± 5.0%	25 ± 6.2%	77 ± 6.9%

10

Example 2. Effect of follicular donor cells (J1 and EFC cell lines) synchronised in either G0 or G1 on *in vitro* development following nuclear transfer and cultured in medium supplemented with Sigma BSA.

15 Further evidence is provided in Table 2 to support the finding that there is no effect of stage of cell cycle between G0 and G1 follicular donor cells on *in vitro* development of cloned embryos to the blastocyst stage following 7 days culture.

Experiments were performed with two independent follicular cell lines:

- 20
- (1) "EFC"; a follicular cell line from a New Zealand Friesian dairy cow and
 - (2) "J1" a follicular cell line from a New Zealand Jersey dairy heifer.

25 EFC cells were only used in G0 while J1 cells were only used in G1 of the cell cycle in these experiments. However, the data has been combined in this example since both cell lines are derived from follicular cells and the reconstructed embryos were all cultured in the same media formulation. In these experiments, this was the standard

AgR SOF medium, but supplemented with Sigma BSA (Sigma Chemical Company; product number A-7030) rather than Life Technologies BSA, as in example 1 above.

J1 cells were used for nuclear transfer between passages 3-6, with donor cells fused
5 within 1-3 hours following the completion of mitosis. EFC cells were used between
passages 3-8 of culture and were synchronised in a G0 stage by culture in medium
containing 0.5% serum for between 9-18 days.

The *in vitro* development results, presented in Table 2, show that with follicular donor
10 cells there is no difference in the proportion of fused embryos developing to
blastocysts between G0 and G1 cell cycle stages.

15 **Table 2.** *In vitro* development of cloned embryos reconstructed with follicular cells (J1 or EFC) at either G0 or G1 of the cell cycle and cultured in AgR SOF medium supplemented with Sigma BSA (mean \pm s.e.m.).

<i>Cell line</i>	<i>Stage of cell cycle</i>		<i>Fusion</i>	<i>Grade 1-2 Blastocysts</i>	<i>Total Development</i>
J1	G1	(n=576)	82 \pm 3.8%	38 \pm 3.6%	67 \pm 1.8%
EFC	G0	(n=1108)	78 \pm 2.3%	37 \pm 2.3%	59 \pm 3.3%

20 **Example 3. Effect of follicular donor cells (J1 and EFC cell lines) synchronised in either G0 or G1 on *in vivo* development following nuclear transfer.**

Data is presented in Figure 1 that shows the survival throughout gestation, following
the transfer to recipient cows, of cloned bovine embryos reconstructed with follicular
25 cells either in G0 or G1 of the cell cycle. The data in Figure 1 has been complied from
embryos that were produced from experiments illustrated in examples 1 and 2 above.
This includes cloned embryos generated from two follicular cell lines, namely J1 and

EFC. Additionally, it includes embryos that have been produced in the same AgR SOF media formulation but supplemented with either Sigma BSA or Life Technologies BSA. The data have been pooled since there is no effect on post-transfer viability between either of these two follicular cell lines nor an effect of the two sources of BSA
5 (although there is a significant effect on development to the blastocyst stage).

The data in Figure 1 represents a total of 85 embryos reconstructed with G0 donor cells and 95 embryos reconstructed with early G1 donor cells that were transferred to the reproductive tracts of synchronised recipient cows.

10

Figure 1 plots the percentage of embryos / fetuses present throughout gestation, from day 7 embryo transfer to term, as determined by regular ultrasonography, rectal palpation and calving. Most notably, the use of G1 follicular cells resulted in the birth of viable calves at full term. Compared to G0 donor cells, there was a tendency for 15 embryonic survival with cloned embryos reconstructed with G1 cells to be lower from day 30 of gestation right through to full term, however, this did not reach a level of statistical significance with the numbers of transfers reported here.

With G1 follicular cells, 9% of embryos transferred (9/95) resulted in the birth of 20 calves at full term. However, 4 of these calves died at or shortly after birth resulting in an overall efficiency of 5% viable cloned calves from G1 cells (5/95). In comparison, G0 donor follicular cells resulted in 20% development to full term (17/85), with 3 calves dying during birth culminating in an overall 16% efficiency of viable calves produced (14/85).

25

Example 4. Effect of adult female skin fibroblasts (Age + and Age - cell lines) synchronised in either G0 or G1 on *in vitro* and *in vivo* development following nuclear transfer and culture in medium supplemented with Life Technologies BSA.

5

Data have been combined from experiments with two independent adult skin fibroblast primary cell lines. The two cell lines are denoted "Age +" and "Age -". They are both female cell lines from Angus beef cows selected for either late or early onset to puberty, respectively. As there were no significance differences in terms of the *in vitro* and *in vivo* development between these two similar cell lines, the data have been 10 combined in Table 3 and Figure 2 below.

Two stages of the cell cycle were compared in these experiments:

- 15 (1) **G1**, whereby donor cells were fused to cytoplasts within 1-3 hours post completion of mitosis.
(2) **G0**, whereby donor cells where cultured for 3-12 days in medium supplemented with 0.5% FCS. For those reconstructed embryos that were transferred to recipient cows, cells were deprived of serum for 4-5 days.

20

Cells from both cell lines and both cell cycle treatments were used for nuclear transfer at passage 7 of culture. Reconstructed embryos where cultured in the standard AgR SOF media formulation, supplemented with Life Technologies BSA (Life Technologies product number 30036-578).

25

The data presented in Table 3 show an effect of length of time G0 cells were in low serum on fusion efficiency, however, once fused with the cytoplasm there was no effect on subsequent *in vitro* development and so, the G0 blastocyst data have been combined. There was no effect of cell cycle stage between G0 and G1 on development 30 to blastocyst stages.

Table 3. *In vitro* development of cloned bovine embryos reconstructed with adult female skin fibroblast cells (Age + and Age -) at either G0 or G1 of the cell cycle and cultured in AgR SOF medium supplemented with Life Technologies BSA (mean \pm s.e.m.).

<i>Stage of cell cycle</i>		<i>Fusion</i>	<i>Grade 1-2 Blastocysts</i>	<i>Total Development</i>
G0	3-5 days (n=411)	66 \pm 1.9%^a		
	7-12 days (n=107)	41 \pm 6.9%^b	19 \pm 3.0%	58 \pm 4.5%
G1	(n=401)	59 \pm 2.5%^{ab}	19 \pm 5.0%	67 \pm 6.6%

ab P<0.05

5

The data in Figure 2 demonstrate that adult skin fibroblasts selected in G1 are capable of producing viable calves at full term. Similar to the data in Figure 1, there is a tendency for survival at full term to be greater with G0, however, from the numbers of transfers performed here this is not statistically significant. With G1 donor cells, 4% of embryos transferred yielded viable cloned calves at term (1/25). In comparison, G0 donor cells resulted in 14% viable development to term (3/22). In this experiment, all 4 calves delivered survived the post-natal period.

15 **Example 5. Effect of adult skin fibroblasts (LJ801 and 3XTC cell lines) synchronised in either G0 or G1 on *in vitro* and *in vivo* development following nuclear transfer and culture in medium supplemented with ICP BSA.**

Additional experiments comparing G0 and G1 cell cycle stages with two independent 20 adult skin fibroblast cell lines were conducted. The two cell lines were denoted "LJ801" and "3XTC". LJ801 is a male cell line derived from a Limousine X Jersey

steer, while 3XTC is derived from a crossbred cow which on three occasions has delivered triplet calves.

Two cell cycle stages were compared:

5

- (1) **G0 cells**, whereby donor cells in both cell lines were cultured in medium with 0.5% FCS for 4-5 days; and
- (2) **G1 cells**, whereby donor cells were fused to cytoplasts within 1-3 hours following the completion of mitosis.

10

Negative BrdU labeling confirmed that adult skin fibroblast cells fused within 3 hours of mitosis had not entered S-phase.

Both LJ801 and 3XTC were used for nuclear transfer experiments between passages 3-
15 4 of culture.

The data in Table 4 have been combined since there was no difference in the efficiency of development to blastocyst stages between LJ801 and 3XTC cells and reconstructed embryos from both cell lines were cultured in the same standard AgR SOF media but
20 supplemented with an alternative BSA source, this time from ICP (Immuno-Chemical Products, Auckland, New Zealand; product number ABFF-002). The data on embryonic survival throughout gestation, following embryo transfer, is presented in Figures 3 and 4 in terms of the respective cell lines 3XTC and LJ801.

25 The data in Table 4 show that there was no effect of the cell cycle of donor adult skin fibroblasts synchronised in either G0 or G1 on development to the blastocyst stage.

Table 4. *In vitro* development of cloned embryos reconstructed with adult skin fibroblast cells (LJ801 and 3XTC cells) at either G0 or G1 of the cell cycle and cultured in AgR SOF medium supplemented with ICP BSA (mean \pm s.e.m.).

<i>Stage of cell cycle</i>		<i>Fusion</i>	<i>Grade 1-2 Blastocysts</i>	<i>Total Development</i>
G0	(n=145)	72 \pm 7.8%	36 \pm 6.1%	61 \pm 5.0%
G1	(n=200)	60 \pm 3.1%	37 \pm 6.0%	57 \pm 5.0%

5

The data in Figure 3 show that with embryos reconstructed with 3XTC cells that there was no difference in survival to day 150, at least. With donor cells in G1 of the cell cycle embryonic survival at day 150 was 25% (3/12) compared to 27% for G0 donor cells (3/11).

The data in Figure 4 show that with embryos reconstructed with LJ801 fibroblast cells that whilst there is a trend for embryonic survival to be greater at day 210 of gestation with G0 donor cells, this is not statistically significant. With donor cells in G1 of the cell cycle embryonic survival at day 210 was 23% (3/13) compared to 39% for G0 donor cells (7/18).

Example 6. Effect of genetically modified bovine fetal fibroblast cells synchronised in either G0 or G1 on *in vitro* and *in vivo* development following nuclear transfer.

An experiment was also performed with genetically modified bovine fetal female lung fibroblast cells to investigate the effect of cell cycle stage on development following nuclear transfer. The genetic modification involved the random insertion of additional

copies of bovine β and κ -casein genes. The transgenic cell line was denoted "casein plus 5110".

Two cell cycle stages were compared:

- 5
- (1) **G0 cells**, whereby donor cells were cultured in medium with 0.5% FCS for 3-6 days; and
 - (2) **G1 cells**, whereby donor cells were fused to cytoplasts within 1-3 hours following the completion of mitosis.

10 Reconstructed embryos were cultured in the standard AgR SOF media formulation, supplemented with ICP BSA (Immuno-Chemical Products, Auckland, New Zealand; product number ABFF-002).

- 15 The data on *in vitro* embryo development is presented in Table 5. Development to blastocyst stages with the casein plus 5110 cells was significantly less when donor cells used for nuclear transfer were in G1 compared to G0. This result is in contrast to the other cell lines presented in the previous examples above.
- 20 Table 5. *In vitro* development of cloned cattle embryos reconstructed with transgenic female fetal lung fibroblast cells (casein plus 5110 cells) at either G0 or G1 stages of the cell cycle and cultured in AgR SOF medium supplemented with ICP BSA (mean \pm s.e.m.).

<i>Stage of cell cycle</i>	<i>Fusion</i>	<i>Grade 1-2 Blastocysts</i>	<i>Total Development</i>
G0 <hr/>	(n=150)	90 \pm 8.1%	52 \pm 1.8%^a
G1 <hr/>	(n=73)	77 \pm 6.5%	26 \pm 5.1%^b

ab P<0.05; cd P<0.01

The embryonic survival data presented in Figure 5 shows no effect of stage of cell cycle or development to day 90 at least, with casein plus 5110 transgenic cells. With donor cells in G1 of the cell cycle embryonic survival at day 90 was 38% (9/24) compared to 27% for G0 donor cells (6/22).

Example 7. Effect of non-proliferating, senescent donor cells (in late G1 phase) on in vitro and in vivo development following nuclear transfer.

A nuclear transfer experiment was performed to investigate the effect on development with non-proliferating, senescent bovine donor cells. The cells used in this experiment were fetal female lung fibroblasts and had been genetically modified (denoted as "561 cells"). Initially, the cells were actively growing, however, during the course of their culture this progressively slowed and at late passage the cells entered a non-proliferative phase, known by those skilled in the art as senescence, whereby cell division ceases. Senescent cells are known to arrest in G1 of the cell cycle, specifically at the late G1 / S-phase boundary (Sherwood et al., 1988). When cells enter senescence they block at late G1 and they fail to enter S-phase in response to physiological mitogens. Thus, senescence is distinct from quiescence, whereby in the latter situation cells may be induced to re-enter the cell cycle and proliferate upon return to optimal conditions (eg addition of serum in the case of serum deprived cell cultures).

Embryos reconstructed with transgenic senescent cells were cultured in the AgR SOF media, supplemented with ICP BSA.

The data on in vitro embryo development is presented in Table 6. Development to blastocyst stages with the senescent donor cells was lower than that expected for G0 or early G1 donor cells as illustrated in the previous examples.

Table 5. In vitro development of cloned cattle embryos reconstructed with non-proliferating, senescent transgenic fibroblasts (561 cells) and cultured in AgR SOF medium supplemented with ICP BSA.

Cell line	Stage of cell cycle	Fusion	Grade 1-2 Blastocysts	Total Development
561	Senescent (n=158)	88%	12%	35%

5

The embryonic survival data presented in Figure 6 suggests a low efficiency of cloning with non-proliferating, senescent cells arrested in late G1 phase, with only 4% of embryos developing to day 90 (1/26).

10

CONCLUSIONS

15

1. It is possible to select individual cells at a definitive stage of the cell cycle, preferably early G1. This is advantageous compared to prior art using so-called proliferating cells where the actual stages of the cell cycle are not accurately known for each individual cell used for nuclear transfer. The same is true for serum starved populations of cells.
- 20 2. Post-mitotic cells in the early G1 phase of the cell cycle are totipotent following nuclear transfer as evidenced by the production of viable calves.
- 25 3. Thus, G0 is not the only stage of the cell cycle that is compatible with development following nuclear transfer with differentiated cultured cells and G1, preferably early G1, nuclei can also be functionally reprogrammed.
4. Post-mitotic early G1 cells promote development to the blastocyst stage following nuclear transfer to similar levels as cells in G0.

5. There is no significant difference in the post-transfer viability to full term of cloned embryos reconstructed with either G0 or early G1 donor nuclei.

INDUSTRIAL APPLICATION

5

The present invention may be useful in establishing cloned herds/flocks of animals including transgenic animals capable of producing pharmaceutically useful proteins, agriculturally useful products such as meat, milk and fibre, as well as human applications especially in the field of therapeutic cloning.

10

It will be appreciated that the description is not intended to limit the scope of the invention to the above examples only, many variations such as might readily occur to a person skilled in the art being possible, without departing from the scope of the appended claims.

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All references are incorporated herein in their entirety by reference.

CLAIMS

1. A method of nuclear transfer, comprising selecting and segregating G1 cells from a proliferating or non-proliferating population of donor cells and transferring a nucleus from such a segregated G1 cell into an enucleated recipient cell.
2. A method as claimed in claim 1, wherein the donor cell population is at one or more known or unknown stages of the cell cycle.
3. A method as claimed in claim 1 or 2, wherein said donor cell population is non-proliferating and has been synchronised at any point in the G1 stage of the cell cycle.
4. A method as claimed in any one of claims 1 to 3 wherein said G1 cell is segregated at an early G1 phase.
5. A method as claimed in any one of claims 1 to 3, wherein the donor cell population is non-proliferating and comprises senescent cells.
6. A method as claimed in any one of claims 1 to 5, wherein said donor cell population is derived from either embryo, fetal, juvenile or adult cells isolated from an animal *in vivo* or from a cell culture *in vitro*.
7. A method as claimed in claim 6, wherein said donor cell population comprises any diploid karyotypically normal cell capable of being stimulated to enter the cell cycle and proliferate.
8. A method as claimed in claim 7, wherein said donor cell population is of an undifferentiated cellular state or are at any degree of differentiation or quiescence or senescence.

9. A method as claimed in any preceding claim wherein the donor cells are adult or fetal fibroblasts or follicular cells.
10. A method as claimed in any preceding claim wherein said donor cells comprise modified cells.
11. A method as claimed in claim 10 wherein said donor cells comprise transgenic cells.
- 10 12. A method as claimed in any preceding claim, wherein the recipient cell comprises an enucleated oocyte.
13. A method as claimed in claim 12, wherein the enucleated oocyte is obtained from a species corresponding in origin to the donor nuclei.
- 15
14. A method as claimed in any one of claims 1 to 11, wherein the recipient cell comprises an enucleated stem cell or a clump of enucleated stem cells fused together.
- 15 16. A method as claimed in claim 14, wherein the stem cells are embryonic stem cells isolated from a growing embryo or form an established cell line in culture.
- 20
16. A method of producing cloned animal embryos which comprises transferring a segregated donor nucleus in the G1 stage of the cell cycle into an enucleated recipient cell.
- 25
17. A method as claimed in claim 16, wherein the donor nuclei are genetically altered using methods well known in the art to produce cloned embryos having desirable genetic traits.

18. A method as claimed in claim 16 or 17, when used to produce an animal species of cloned embryo selected from the group comprising birds, amphibia, fish and mammals.
- 5 19. A method as claimed in claim 18, wherein said cloned animal embryo is a mammal, selected from the group comprising primates including humans, rodents, rabbits, cats, dogs, horses, cattle, sheep, deer, goats and pigs.
20. A reconstituted animal embryo prepared by the method claimed in claim 16.
- 10
21. A reconstituted animal embryo as claimed in claim 17, comprising a transgenic embryo.
- 15
22. A reconstituted animal embryo as claimed in claim 20 or 21 re-cloned to further increase embryo numbers or which undergoes serial nuclear transfer to aid nuclear reprogramming and/or development.
- 20
23. A reconstituted animal embryo as claimed in any one of claims 20 to 22, comprising a species of mammal selected from the group comprising primates including humans, rodents, rabbits, cats, dogs, horses, cattle, sheep, deer, goats and pigs.
- 25
24. A method of cloning a non-human animal comprising the steps: (1) producing a cloned non-human animal embryo according to the method of any one of claim 16 or 17 (2) allowing a non-human animal to develop to term from the embryo by known methods; and (3) optionally breeding from the non-human animal so formed either by conventional methods or by further cloning.
- 30
25. A method as claimed in claim 24, wherein said cloned non-human animal is a non-human mammal selected from the group comprising non-human primates, rodents, rabbits, cats, dogs, horses, cattle, sheep, and deer.

26. A method as claimed in claim 24 or 25, wherein said cloned non-human animal is a transgenic non-human animal having a desirable genetic trait.

5 27. A method as claimed in claim 26, wherein said transgenic non-human animal is a transgenic bovine or ovine.

28. A cloned non-human animal prepared by the method of claim 24.

10 29. A cloned non-human animal as claimed in claim 28 comprising a mammal selected from the group comprising non-human primates, rodents, rabbits, cats, dogs, horses, cattle, sheep, and deer.

15 30. A cloned non-human animal as claimed in claim 28 or 29 comprising a transgenic non-human animal having a desirable genetic trait.

31. A cloned non-human animal as claimed in claim 30 comprising a transgenic bovine or ovine.

20 32. A cloned transgenic animal as claimed in claim 30 or 31 wherein the desirable genetic trait is selected from the insertion, deletion, or modification of a gene or genes enabling the production of pharmaceutical proteins in milk, blood or urine; production of nutraceutical products in milk or meat; production of beneficial agricultural traits to improve the quality of milk, meat and fibre production; improve resistance to pests and diseases; production of industrial proteins in milk; xenotransplantation; and for the generation of transgenic animals as models for human disease.

25 33. Offspring and descendants of the cloned non-human animal as claimed in any one of claims 28 to 32.

34. A method of producing an embryonic cell line comprising the steps a) selecting and segregating G1 cells from a proliferating population of donor cells or from a synchronised population of G1 cells or from a population of senescent cells, and transforming a nucleus from such a segregated cell into an enucleated recipient cell; b) growing to blastocyst stage; c) recovering embryonic cells; and d) establishing an immortalised cell line *in vitro* by methods known in the art.

5
35. A method as claimed in claim 34, wherein said embryonic cells are embryonic stem cells.

10

36. A method as claimed in claim 34 or 35, wherein said donor cells are human cells.

15
37. A method as claimed in any one of claims 34 to 36, wherein both donor and recipient cells are human cells.

38. A method as claimed in any one of claims 34 to 37, wherein the donor cells are adult or fetal cells selected from any karyotypically normal cell type and the recipient cells are selected from any cell type capable of reprogramming gene expression.

20

39. An embryonic cell line produced by the method of any one of claims 34 to 36.

40. A human embryonic stem cell line produced by the method of claim 36, when dependent upon claim 35, useful in therapeutic applications.

25

41. A method of producing embryonic stem cells comprising the steps of a) selecting and segregating G1 cells from a proliferating population of donor cells or from synchronised population of G1 cells or from a population of senescent cells and transferring a nucleus from such a segregated cell into an enucleated recipient cell; b) growing to blastocyst stage; and c) recovering embryonic stem cells.

42. A method as claimed in claim 41, wherein said donor cells are human cells.
43. A method as claimed in claim 41 or 42, wherein both donor and recipient cells are human cells.
- 5
44. A method as claimed in any one of claims 41 to 43, wherein the donor cells are adult or fetal cells selected from any karyotypically normal cell type and the recipient cells are selected from any cell type capable of reprogramming gene expression.
- 10 45. Embryonic stem cells produced by the method of any one of claims 41 to 43.
46. Embryonic stem cells as claimed in claim 45, comprising human embryonic stem cells.
- 15 47. A use of the embryonic cells of any one of claims 39, 40 and 45, wherein specialised types of cell or tissue selected from the group comprising nerve cells, muscle cells, heart cells, liver cells, lung cells, kidney cells or any other type of cell of interest are cultured using methods well known in the art.
- 20 48. A use as claimed in claim 47, wherein said embryonic cells are human embryonic stem cells as claimed in claim 40 or 46.
49. A method of therapeutic cloning, wherein embryonic stem cells are produced according to any one of claims 35 and 41 to 43 from a donor cell derived from a subject, and cultured to produce specialised cells or tissue for transplantation in said subject or in another subject in need of such treatment.
- 25
50. A method as claimed in claim 49, wherein said embryonic stem cells comprise one or more transgenes to confer a desirable genetic trait in the resulting differentiated cells used for transplantation.
- 30

51. A method of treating a disease, disorder or injury which may be treated by transplantation of specialised cells or tissue, comprising administering to a patient in need thereof a therapeutically effective amount of specialised cells or tissue produced according to the method of claim 49 or 50.

5

52. A method as claimed in claim 49 or 50, wherein said disease, disorder or injury is selected from various neurological disorders (*eg* Parkinson's disease), diabetes, heart disease, muscular dystrophy, various hereditary diseases, specific cancers (*eg* leukemia), spinal cord injury, burns and other afflictions.

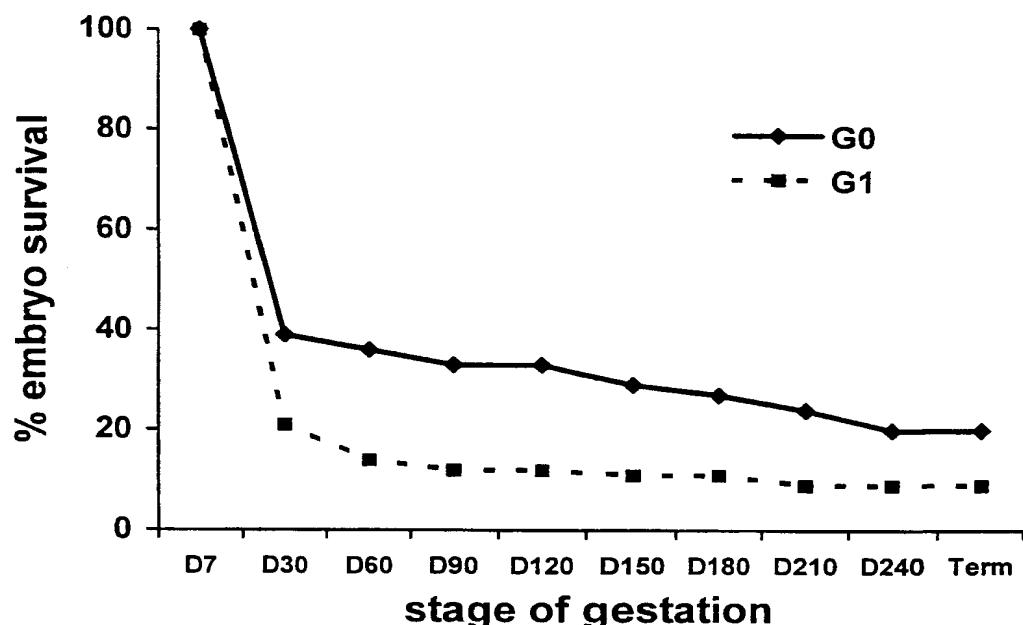
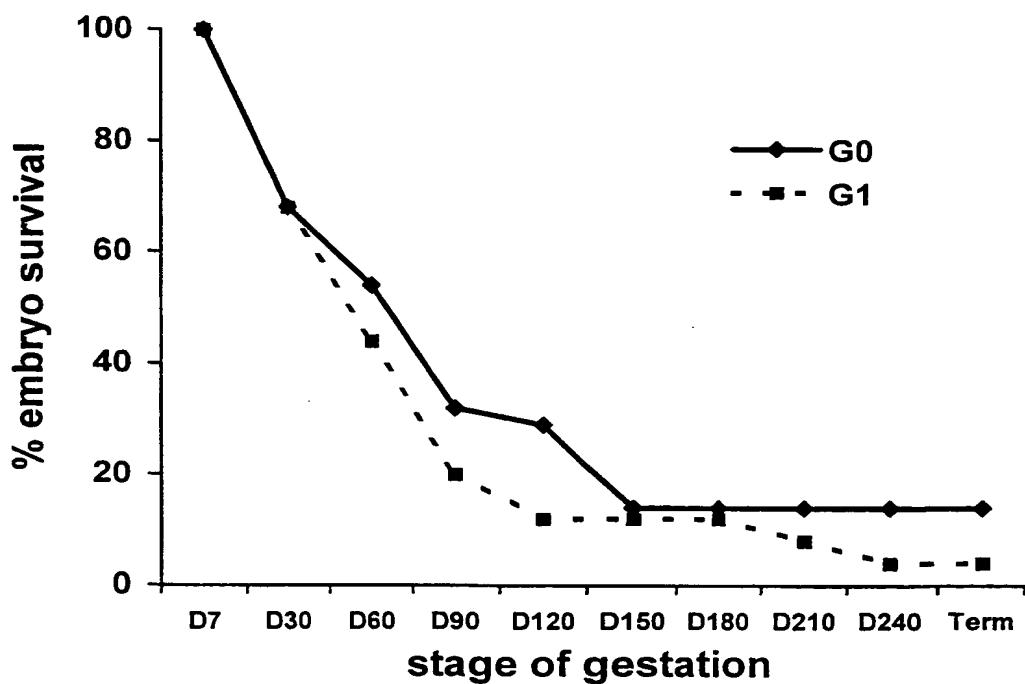
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53. A method of drug discovery or toxicology testing of drugs using *in vitro* differentiated human embryonic stem cells produced by the methods of claim 47.

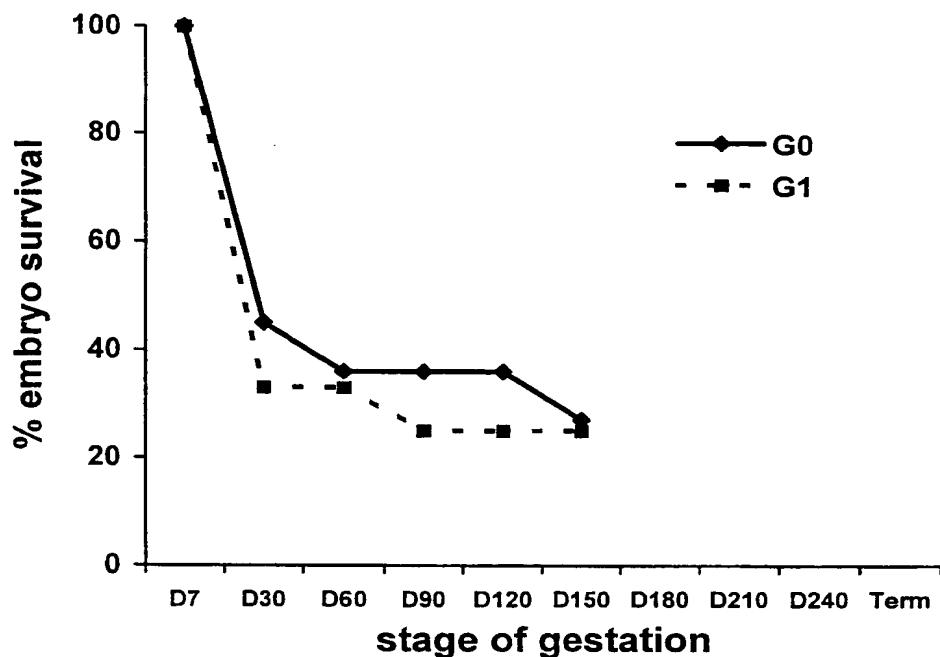
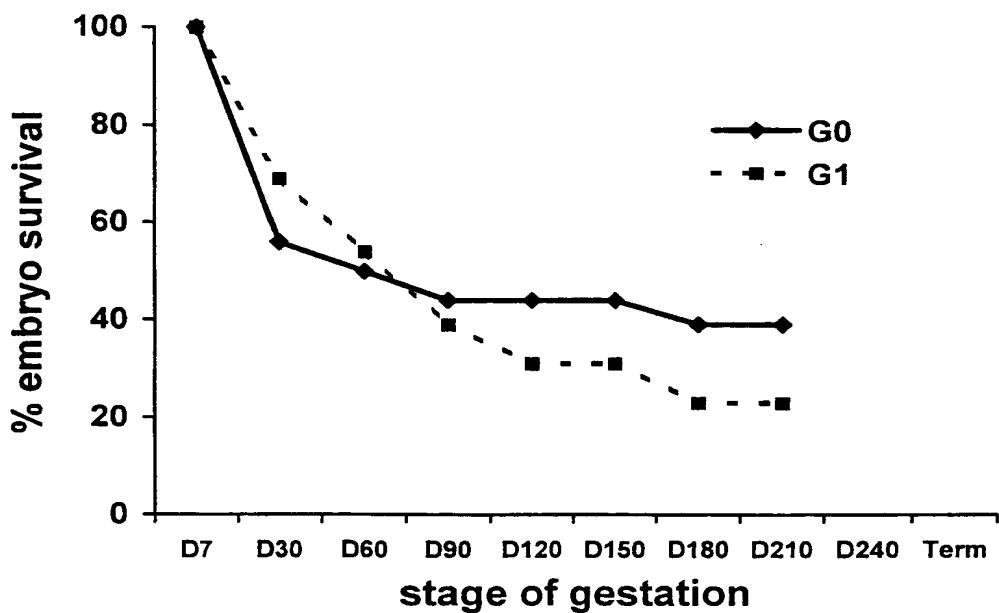
15 54. A method of xenotransplantation, wherein cells, tissues and organs are isolated from the non-human cloned animal of any one of claims 28 to 32, and used for transplantation in a human patient in need thereof.

55. A method of gene therapy, wherein cells, tissues and organs comprise a transgene and are isolated for the non-human cloned animal of claim 30 or 31.

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**FIGURE 1****FIGURE 2**

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**FIGURE 3****FIGURE 4**

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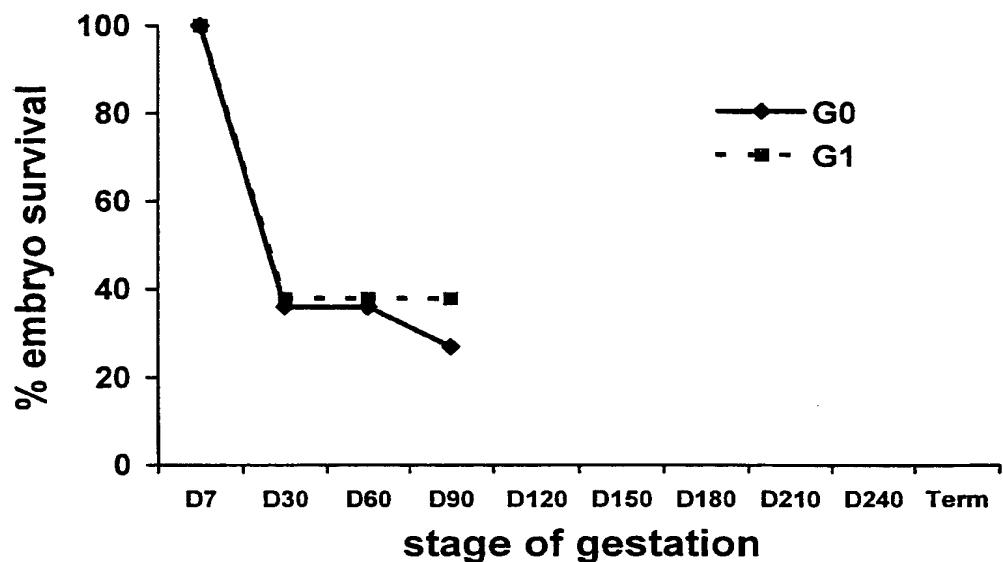


FIGURE 5

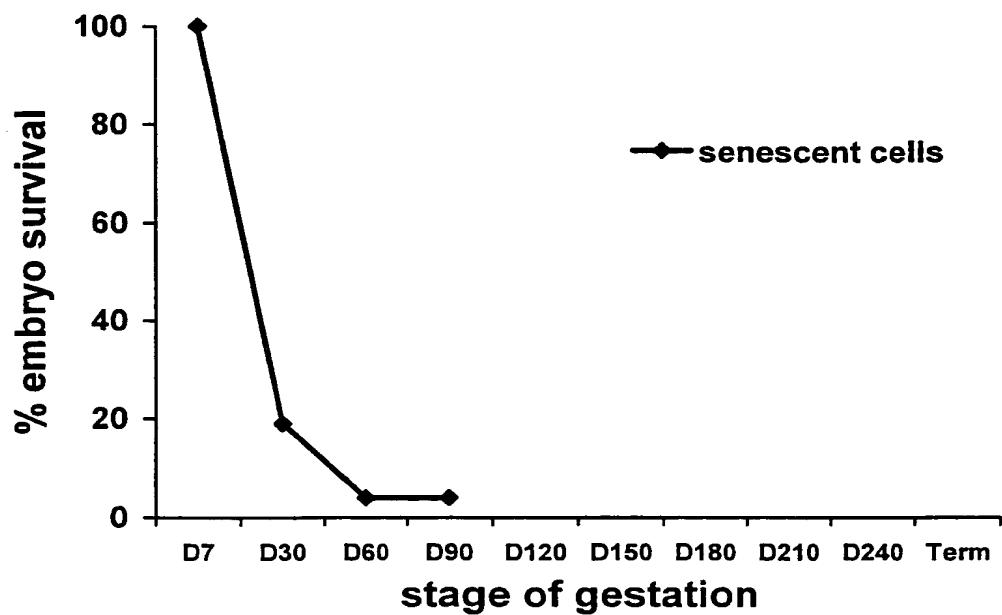


FIGURE 6

INTERNATIONAL SEARCH REPORT

International application No.
PCT/NZ00/00179

A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl.⁷: A01K 67/02, 67/027 A61K 48/00 C12N 5/16, 5/05, 5/08

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

WPIDS, CA: SEE BELOW

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
MEDLINE, AGRICOLA: SEE BELOW

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
WPIDS, CA, MEDLINE, AGRICOLA: G1 phase, nuclear transfer, nuclear transplantation, embryo transfer

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
PX	Wakayama, T. et al "Mice cloned from embryonic stem cells" December 1999, Proc. Natl. Acad. Sci. USA 96(26), pages 14984-89. See the entire document.	1-55
PX	WO A 99 46982 (BRESAGEN LIMITED) 23 September 1999. See in particular pages 5, 6, 8 and claims.	1-13, 16-26, 28-30, 32, 33, 54, 55

Further documents are listed in the continuation of Box C See patent family annex

* Special categories of cited documents:	"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier application or patent but published on or after the international filing date	"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&"	document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means		
"P" document published prior to the international filing date but later than the priority date claimed		

Date of the actual completion of the international search
3 November 2000

Date of mailing of the international search report

10 NOV 2000

Name and mailing address of the ISA/AU
AUSTRALIAN PATENT OFFICE
PO BOX 200, WODEN ACT 2606, AUSTRALIA
E-mail address: pct@ipaaustralia.gov.au
Facsimile No. (02) 6285 3929

Authorized officer
TERRY MOORE
Telephone No : (02) 6283 2632

INTERNATIONAL SEARCH REPORT

International application No.
PCT/NZ00/00179

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	Boquest, A.C. et al "Flow cytometric cell cycle analysis of cultured porcine fetal fibroblast cells" (1999) Biology of Reproduction 60, pages 1013-9. See the entire document.	1-55
X	Cibelli, J.B. et al "Cloned transgenic calves produced from nonquiescent fetal fibroblasts" May 1998, Science 280, pages 1256-8. See the entire document.	1-55
X	Pinto-Correia, C. et al "Factors involved in nuclear reprogramming during early development in the rabbit" (1995) Molecular Reproduction and Development 40, pages 292-304. See in particular the final sentence of the discussion.	1-4, 6-55
X	Otaegui, P.J. et al "Transfer of nuclei from 8-cell stage mouse embryos following use of nocodazole to control the cell cycle" (1994) Molecular Reproduction and Development 39, pages 147-52 See the entire document.	1-4, 6-55
X	Campbell, K.H.S. et al "Nuclear-cytoplasmic interactions during the first cell cycle of nuclear transfer reconstructed bovine embryos: Implications for deoxyribonucleic acid replication and development" (1993) Biology of Reproduction 49, pages 933-42. See the entire document.	1-4, 6-55
X	Collas, P. et al "Influence of cell cycle stage of the donor nucleus on development of nuclear transplant rabbit embryos" (1992) Biology of Reproduction 46, 492-500. See the entire document.	1-4, 6-55

INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.
PCT/NZ00/00179

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report	Patent Family Member
WO 99 46982	AU 29135/99

END OF ANNEX

The above discussion highlights that to date there has been generally poor characterisation as to the stage of the cell cycle cultured donor cells are in at the time of nuclear transfer, which makes the state of the art uncertain and not easily replicated.

- 5 It would therefore be desirable to have a method of nuclear transfer which ensured that the stage of cell cycle of the donor nuclei were accurately known.

It is an object of the present invention to go some way towards achieving this desideratum or at least to provide the public with a useful choice.

10

SUMMARY OF THE INVENTION

- According to a first aspect, the present invention provides a method of nuclear transfer, comprising selecting and segregating G1 cells from a proliferating or non-proliferating 15 population of donor cells and transferring a nucleus from such a segregated G1 cell into an enucleated recipient cell. The donor cell population may be at one or more known or unknown stages of the cell cycle.

Such a method provides certainty as to the stage of the cell cycle of the donor nuclei at 20 the time of embryo reconstruction and is therefore advantageous over the prior art.

The invention contemplates the use of cell cycle inhibitors to block randomly growing cells at specific stages of the cell cycle to produce a non-proliferating synchronised cell population. Preferably cell growth is blocked at mitosis and, following release from 25 the inhibitor, cells progressing into G1 phase are used for nuclear transfer.

Thus, in a second aspect, the invention provides a method of nuclear transfer which comprises transferring a nucleus from a cell segregated from a non-proliferating cell population which has been synchronised in the G1 stage of the cell cycle, into an 30 enucleated recipient cell.

selected by the method of the invention may be carried out for the purposes of "therapeutic cloning".

According to a third aspect, the present invention provides a method of producing
5 cloned animal embryos by transferring a segregated donor nucleus in G1 phase,
preferably early G1 phase, into an enucleated recipient cell.

The methods of the present invention may be used to produce any animal embryo
species of interest including birds, amphibia, fish and mammals. Preferably the animal
10 embryo of interest is a mammal, including, but not limited to, primates including
humans, rodents, rabbits, cats, dogs, horses, pigs and most preferably, ungulates such
as cattle, sheep, deer and goats.

Preferably the cloned animal embryos have desirable genetic traits using genetically
15 modified nuclei by methods known in the art.

According to a fourth aspect, the present invention provides a reconstituted animal
embryo prepared by the methods of the invention including a reconstituted transgenic
animal embryo. The embryos so formed may then be either re-cloned to further
20 increase embryo numbers or undergo serial nuclear transfer to further aid nuclear
reprogramming and/or developmental potential.

According to a fifth aspect, the present invention provides a method of cloning a non-
human animal comprising (1) producing a cloned animal embryo according to the
25 method of the invention described above; (2) allowing an animal to develop to term
from the embryo by known methods; and (3) optionally breeding from the animal so
formed either by conventional methods or by cloning according to the methods of the
present invention.

30 The methods of the present invention may be used to produce a non-human animal
species of interest including birds, amphibia, fish and mammals. Preferably said non-

human animal is selected from the group comprising non-human primates, rodents, rabbits, cats, dogs, horses, pigs and most preferably ungulates such as cattle, sheep, deer and dogs.

- 5 According to a sixth aspect, the present invention provides a cloned non-human animal prepared by the methods of the invention, described above, as well as to the offspring and descendants of such cloned non-human animals.

The methods of the present invention may be used to produce non-human animals, 10 preferably mammals, having desirable genetic traits using genetically altered donor nuclei by methods well known in the art. Transgenic animals produced by such methods also form part of the present invention.

The present invention can also be used to produce embryonic cell lines, embryonic 15 stem cells, fetuses or offspring which can be used, for example, in cell, tissue and organ transplantation.

Accordingly, in a further embodiment, the present invention provides a method of producing an embryonic cell line comprising the steps a) selecting and segregating G1 20 cells from a proliferation population of donor cells of unknown cell cycle or from a synchronised population of G1 cells and transforming a nucleus from such a segregated cell into an enucleated recipient cell; b) growing to blastocyst stage; c) recovering embryonic cells; and d) establishing an immortalised cell line *in vitro* by methods known in the art.

25 In a further embodiment there is provided a method of producing animal embryonic stem cells comprising the steps of a) selecting and segregating G1 cells from a growing population of animal donor cells at various unknown stages of the cell cycle, or from synchronised cultures of G1 cells, and transferring the nucleus from such segregated 30 cells into an enucleated animal recipient cell; b) growing to blastocyst stage; c) recovering embryonic stem cells.

Preferably, the animal donor cell used in the above methods is of human origin. Most preferably, both the animal donor and recipient cells used in the above methods are of human origin.

5

Most preferably, the donor cells are adult or fetal cells selected from any karyotypically normal cell type and the recipient cells are selected from any cell type capable of reprogramming gene expression including enucleated oocytes or embryonic stem cells.

- 10 The embryonic stem cells produced by the method of the invention are pluripotent and may be induced to differentiate in culture to form purified populations of specialised types of human cells including nerve cells such as neurons, astrocytes, oligodendrocytes; liver cells; muscle cells such as myocytes; heart cells such as cardiomyocytes, haematopoietic cells, pancreatic cells and any other cell type of interest by methods known in the art.
- 15

Such specialised human cells and tissues may then be used for transplantation for treatment of specific diseases or injuries where the damaged cells are unable to replace themselves or replace themselves effectively. Where the human donor cell was derived from a patient in need of such a transplant, such a transplanted tissue would not be rejected by the patient as the tissue would be genetically identical to the patient.

20
25 Alternatively, such differentiated cells and tissues could be used to treat diseases or injuries, for example, various neurological disorders (eg Parkinson's disease), diabetes, heart disease, muscular dystrophy, various hereditary diseases, specific cancers (eg leukemia), spinal cord injury, burns and other afflictions.

These methods are known as "therapeutic cloning" in the art.

30 The *in vitro* differentiation of human embryonic stem cells to specific cell types may be also beneficial for drug discovery and toxicology studies for human medicine.

Thus, in a further aspect, the present invention provides a method of drug discovery and toxicology testing of drugs using *in vitro* differentiated human embryonic stem cells produced by the methods of the present invention.

5

According to a still further aspect, the present invention provides a method of xenotransplantation whereby cells, tissues and organs may be isolated from cloned non-human animals and their offspring produced according to the methods of the invention, and used for transplantation in human patients in need of such therapy.

- 10 Where such cells, tissues or organs comprise a transgene, such cells, tissues or organs may be useful in gene therapy or to moderate the patient's immune response to the xenogenic tissue.

DESCRIPTION OF THE FIGURES

15

The present invention will now be described by reference to the figures of the accompanying drawings in which:

- 20 Figure 1 shows the survival rate throughout the gestation of cloned cattle embryos reconstructed with follicular cells either in G0 or G1 of the donor cell cycle;

Figure 2 shows the survival rate throughout gestation of cloned cattle embryos reconstructed with adult female skin fibroblasts either in G0 or G1 of the donor cell cycle;

25

Figure 3 shows the survival rate throughout gestation of cloned cattle embryos reconstructed with adult female skin fibroblasts (3XTC cells) either in G0 or G1 of the donor cell cycle;

Figure 4 shows embryonic survival throughout gestation of cloned cattle embryos reconstructed with adult male skin fibroblast cells (LJ801 cells) either in G0 or G1 of the donor cell cycle;

- 5 Figure 5 shows embryonic survival throughout gestation of cloned transgenic cattle embryos reconstructed with genetically modified female fetal lung fibroblast cells (casein plus 5110 cells) either in G0 or G1 stages of the donor cell cycle; and

- 10 Figure 6 shows embryonic survival throughout gestation of cloned transgenic cattle embryos reconstructed with non-proliferating, senescent female fetal fibroblasts (561 cell line).

DETAILED DESCRIPTION OF THE INVENTION

- 15 The present invention is directed to an improvement of the known techniques for the cloning of mammalian embryos by nuclear transfer. Although it is contemplated that the embryo cloning procedure of the present invention may be utilised in a variety of mammals and, indeed other animal species, the procedure will be described with reference to the bovine species. It is an essential feature of this invention that the
20 donor nuclei are in G1 phase and, preferably, in early G1 phase.

One approach in obtaining G1 cells with certainty from a randomly growing population of cultured cells is to individually pick mitotic cells from the culture surface, and allow them to complete mitosis in medium containing 10% fetal calf serum (FCS). Such
25 donor cells are then fused to recipient cells, (*ie* cytoplasts) within a short period of time following mitosis, such as three hours in common practice and before entry into S-phase, as may be detected by BrdU labeling. In this way they are assured of being in the early phase of G1 and possess a 2C amount of DNA. Thus, the cycling cells are used for nuclear transfer before they have progressed to the G1/S boundary. The
30 selected cells remain in high serum-containing medium throughout the manipulations,

CLAIMS

1. A method of nuclear transfer, comprising selecting and segregating G1 cells from a proliferating or non-proliferating population of donor cells and transferring a nucleus from such a segregated G1 cell into an enucleated recipient cell.
2. A method as claimed in claim 1, wherein the donor cell population is at one or more known or unknown stages of the cell cycle.
10
3. A method as claimed in claim 1 or 2, wherein said donor cell population is non-proliferating and has been synchronised at any point in the G1 stage of the cell cycle.
4. A method as claimed in any one of claims 1 to 3 wherein said G1 cell is segregated at an early G1 phase.
15
5. A method as claimed in any one of claims 1 to 3, wherein the donor cell population is non-proliferating and comprises senescent cells.
- 20 6. A method as claimed in any one of claims 1 to 5, wherein said donor cell population is derived from either embryo, fetal, juvenile or adult cells isolated from an animal *in vivo* or from a cell culture *in vitro*.
- 25 7. A method as claimed in claim 6, wherein said donor cell population comprises any diploid karyotypically normal cell capable of being stimulated to enter the cell cycle and proliferate.
- 30 8. A method as claimed in claim 7, wherein said donor cell population is of an undifferentiated cellular state or are at any degree of differentiation or quiescence or senescence.

9. A method as claimed in any preceding claim wherein the donor cells are adult or fetal fibroblasts or follicular cells.

10. A method as claimed in any preceding claim wherein said donor cells comprise
5 modified cells.

11. A method as claimed in claim 10 wherein said donor cells comprise transgenic cells.

10 12. A method as claimed in any preceding claim, wherein the recipient cell comprises an enucleated oocyte.

13. A method as claimed in claim 12, wherein the enucleated oocyte is obtained from a species corresponding in origin to the donor nuclei.

15 14. A method as claimed in any one of claims 1 to 11, wherein the recipient cell comprises an enucleated stem cell or a clump of enucleated stem cells fused together.

15 15. A method as claimed in claim 14, wherein the stem cells are embryonic stem
20 cells isolated from a growing embryo or form an established cell line in culture.

16. A method of producing cloned animal embryos which comprises transferring a segregated donor nucleus in the G1 stage of the cell cycle into an enucleated recipient cell.

25 17. A method as claimed in claim 16, wherein the donor nuclei are genetically altered using methods well known in the art to produce cloned embryos having desirable genetic traits.

34. A method of producing an embryonic cell line comprising the steps a) selecting and segregating G1 cells from a proliferating population of donor cells or from a synchronised population of G1 cells or from a population of senescent cells, and transforming a nucleus from such a segregated cell into an enucleated recipient cell; b) 5 growing to blastocyst stage; c) recovering embryonic cells; and d) establishing an immortalised cell line *in vitro* by methods known in the art.

35. A method as claimed in claim 34, wherein said embryonic cells are embryonic stem cells.

10

36. A method as claimed in claim 34 or 35, wherein said donor cells are human cells.

37. A method as claimed in any one of claims 34 to 36, wherein both donor and 15 recipient cells are human cells.

38. A method as claimed in any one of claims 34 to 37, wherein the donor cells are adult or fetal cells selected from any karyotypically normal cell type and the recipient cells are selected from any cell type capable of reprogramming gene expression.

20

39. An embryonic cell line produced by the method of any one of claims 34 to 36.

40. A human embryonic stem cell line produced by the method of claim 36, when dependent upon claim 35, useful in therapeutic applications.

25

41. A method of producing embryonic stem cells comprising the steps of a) selecting and segregating G1 cells from a proliferating population of donor cells or from synchronised population of G1 cells or from a population of senescent cells and transferring a nucleus from such a segregated cell into an enucleated recipient cell; b) 30 growing to blastocyst stage; and c) recovering embryonic stem cells.

42. A method as claimed in claim 41, wherein said donor cells are human cells.
43. A method as claimed in claim 41 or 42, wherein both donor and recipient cells are human cells.
- 5 44. A method as claimed in any one of claims 41 to 43, wherein the donor cells are adult or fetal cells selected from any karyotypically normal cell type and the recipient cells are selected from any cell type capable of reprogramming gene expression.
- 10 45. Embryonic stem cells produced by the method of any one of claims 41 to 43.
46. Embryonic stem cells as claimed in claim 45, comprising human embryonic stem cells.
- 15 47. A use of the embryonic cells of any one of claims 39, 40 and 45, wherein specialised types of cell or tissue selected from the group comprising nerve cells, muscle cells, heart cells, liver cells, lung cells, kidney cells or any other type of cell of interest are cultured using methods well known in the art.
- 20 48. A use as claimed in claim 47, wherein said embryonic cells are human embryonic stem cells as claimed in claim 40 or 46.
49. A method of therapeutic cloning, wherein embryonic stem cells are produced according to any one of claims 35 and 41 to 43 from a donor cell derived from a 25 subject, and cultured to produce specialised cells or tissue for transplantation in said subject or in another subject in need of such treatment.
50. A method as claimed in claim 49, wherein said embryonic stem cells comprise one or more transgenes to confer a desirable genetic trait in the resulting differentiated 30 cells used for transplantation.

51. A method of treating a disease, disorder or injury which may be treated by transplantation of specialised cells or tissue, comprising administering to a patient in need thereof a therapeutically effective amount of specialised cells or tissue produced according to the method of claim 49 or 50.

5

52. A method as claimed in claim 49 or 50, wherein said disease, disorder or injury is selected from various neurological disorders (eg Parkinson's disease), diabetes, heart disease, muscular dystrophy, various hereditary diseases, specific cancers (eg leukemia), spinal cord injury, burns and other afflictions.

10

53. A method of drug discovery or toxicology testing of drugs using *in vitro* differentiated human embryonic stem cells produced by the methods of claim 47.

15

54. A method of xenotransplantation, wherein cells, tissues and organs are isolated from the non-human cloned animal of any one of claims 28 to 32, and used for transplantation in a human patient in need thereof.

55. A method of gene therapy, wherein cells, tissues and organs comprise a transgene and are isolated for the non-human cloned animal of claim 30 or 31.

PCTENT COOPERATION TREATY

From the:
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

FAXED
25/1/02

To: A J PARK & SON PO Box 949 WELLINGTON 6001 New Zealand	RECEIVED 07 JAN 2002 AJ PARK	
Applicant's or agent's file reference p425175 CJE/jfc	IMPORTANT NOTIFICATION	
International Application No. PCT/NZ00/00179	International Filing Date 14 September 2000	Priority Date 14 September 1999
Applicant WELLS, David		

PCT
NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY EXAMINATION
REPORT

(PCT Rule 71.1)

Date of mailing
day/month/year **28 JAN 2002**

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translations to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide

Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized officer TERRY MOORE Telephone No. (02) 6283 2632
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PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference p425175 CJE/jfc	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).
International Application No. PCT/NZ00/00179	International Filing Date (<i>day/month/year</i>) 14 September 2000	Priority Date (<i>day/month/year</i>) 14 September 1999
International Patent Classification (IPC) or national classification and IPC Int. Cl. 7 A01K 67/02, 67/027; A61K 48/00; C12N 5/16, 5/05, 5/08		
Applicant WELLS, David		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 11 sheet(s).

3. This report contains indications relating to the following items:

- | | |
|------|---|
| I | <input checked="" type="checkbox"/> Basis of the report |
| II | <input type="checkbox"/> Priority |
| III | <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| IV | <input type="checkbox"/> Lack of unity of invention |
| V | <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| VI | <input checked="" type="checkbox"/> Certain documents cited |
| VII | <input type="checkbox"/> Certain defects in the international application |
| VIII | <input checked="" type="checkbox"/> Certain observations on the international application |

Date of submission of the demand 5 March 2001	Date of completion of the report 17 January 2002
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer TERRY MOORE Telephone No. (02) 6283 2632

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/NZ00/00179

I. Basis of the report

1. With regard to the elements of the international application:*

 the international application as originally filed.

- the description, pages **1-4, 6 and 12-39**, as originally filed,
 pages , filed with the demand,
 pages **5 and 8-10**, received on **8 October 2001** with the letter of **2 October 2001**
 pages **11**, received on **30 July 2001** with the letter of **25 July 2001**
 pages **7**, received on **4 January 2002** with the letter of **22 November 2001**
- the claims, pages , as originally filed,
 pages , as amended (together with any statement) under Article 19,
 pages , filed with the demand,
 pages **40 and 44-46**, received on **8 October 2001** with the letter of **2 October 2001**
 pages **41**, received on **4 January 2002** with the letter of **22 November 2001**
- the drawings, pages **1/3-3/3**, as originally filed,
 pages , filed with the demand,
 pages , received on with the letter of
- the sequence listing part of the description:
 pages , as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
 These elements were available or furnished to this Authority in the following language which is:
- the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
 the language of publication of the international application (under Rule 48.3(b)).
 the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority in written form.
 furnished subsequently to this Authority in computer readable form.
 The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

4. The amendments have resulted in the cancellation of:

- the description, pages
 the claims, Nos.
 the drawings, sheets/fig.

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

NZ00/00179

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims 1-56	YES
	Claims	NO
Inventive step (IS)	Claims 1-56	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-56	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

The following documents identified in the International Search Report have been considered for the purposes of this report:

- D1 Boquest et al (1999) Biology of Reproduction 60, 1013-9
- D2 Cibelli et al (1998) Science 280, 1256-8
- D3 Pinto-Correia et al (1995) Molecular Reproduction and Development 40, 292-304
- D4 Otaegui et al (1994) Molecular Reproduction and Development 39, 147-52
- D5 Campbell et al (1993) Biology of Reproduction 49, 933-42
- D6 Collas et al (1992) Biology of Reproduction 46, 492-500

The invention described in the specification involves the physical selection of cells in G1 phase by selecting cells on the basis of physical characteristics and physically picking these cells to obtain a pure culture of cells in G1. Nuclei derived from these cells are then used in nuclear transfer processes. The method avoids the use of drugs to synchronise cells in G1.

Novelty (N) and Inventive Step (IS)

D1 discloses the treatment of foetal fibroblasts with the cell cycle inhibitors colchicine, mimosine and DMSO and separation of cells in G1 phase using FACS gated for size. Although the citation does not disclose the nuclear transfer procedure itself, the cells are intended for this use and the citation clearly teaches the advantages of using cells in G1.

D2 discloses the use of nuclear donor cells deliberately chosen because they have an inherently long G1 phase. The cells are genetically modified by the introduction of a beta-galactosidase marker.

However neither citation discloses selecting cells on the basis of physical characteristics and physical picking G1 cells to obtain a pure culture of cells in G1. As such neither citation discloses or teaches toward the methods of the claims.

D4-D6 disclose nuclear transfer of G1 phase embryonic nuclei into enucleated oocytes. However the method disclosed in the citation involves the use of the cell-cycle inhibitors such as colchicine and nocodazole, both of which are expressly excluded from the scope of the claims. As such the citation is not relevant to the novelty or inventive step of the claims.

D3 provides background information about nuclear reprogramming and embryo cloning but does not effect the novelty or inventive step of the claims.

Wakayama et al (1999) Proc Natl Acad Sci USA 96, 14984-9, cited in the ISR, is not discussed in this report because the document was published after the publication date of the instant application.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

/NZ00/00179

VI. Certain documents cited**1. Certain published documents (Rule 70.10)**

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
WO 99 46982	23/09/1999	16/03/1999	16/03/1998

The document discloses the use of DNA synthesis inhibitors and microtubule stabilisers other than colcemid and nocodazole for synchronisation of nuclear transfer donor cell in G1 phase. However the citation does not disclose selection of G1 cells based on physical characteristics and picking of these cells to obtain a pure culture of cells in G1. Therefore the document does not deprive the amended claims of novelty.

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

[REDACTED] NZ00/00179

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 1-23 recite methods for generating animals using nuclear transfer. As such the claims include within their scope methods of generating human beings. A number of countries regard human beings as unpatentable subject matter and this may need to be addressed during the national phase examination in certain PCT states.

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference p425175 CJE/jfc	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).	
International Application No. PCT/NZ00/00179	International Filing Date (<i>day/month/year</i>) 14 September 2000	Priority Date (<i>day/month/year</i>) 14 September 1999	
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ A01K 67/02, 67/027; A61K 48/00; C12N 5/16, 5/05, 5/08			
Applicant WELLS, David			

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3.	This report contains indications relating to the following items: <table style="margin-left: 20px; border-collapse: collapse;"> <tr> <td>I</td> <td><input checked="" type="checkbox"/> Basis of the report</td> </tr> <tr> <td>II</td> <td><input type="checkbox"/> Priority</td> </tr> <tr> <td>III</td> <td><input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td>IV</td> <td><input type="checkbox"/> Lack of unity of invention</td> </tr> <tr> <td>V</td> <td><input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td>VI</td> <td><input checked="" type="checkbox"/> Certain documents cited</td> </tr> <tr> <td>VII</td> <td><input type="checkbox"/> Certain defects in the international application</td> </tr> <tr> <td>VIII</td> <td><input checked="" type="checkbox"/> Certain observations on the international application</td> </tr> </table>	I	<input checked="" type="checkbox"/> Basis of the report	II	<input type="checkbox"/> Priority	III	<input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	IV	<input type="checkbox"/> Lack of unity of invention	V	<input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	VI	<input checked="" type="checkbox"/> Certain documents cited	VII	<input type="checkbox"/> Certain defects in the international application	VIII	<input checked="" type="checkbox"/> Certain observations on the international application
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Date of submission of the demand 5 March 2001	Date of completion of the report 17 January 2002
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer TERRY MOORE Telephone No. (02) 6283 2632

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

P/NZ00/00179

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 pages 5 and 8-10, received on 8 October 2001 with the letter of 2 October 2001
 pages 11, received on 30 July 2001 with the letter of 25 July 2001
 pages 7, received on 4 January 2002 with the letter of 22 November 2001

the claims, pages , as originally filed,
 pages , as amended (together with any statement) under Article 19,
 pages , filed with the demand,
 pages 40 and 44-46, received on 8 October 2001 with the letter of 2 October 2001
 pages 41, received on 4 January 2002 with the letter of 22 November 2001

the drawings, pages 1/3-3/3, as originally filed,
 pages , filed with the demand,
 pages , received on with the letter of

the sequence listing part of the description:
 pages , as originally filed

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-56	YES
	Claims	NO
Inventive step (IS)	Claims 1-56	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-56	YES
	Claims	NO

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The following documents identified in the International Search Report have been considered for the purposes of this report:

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- D2 Cibelli et al (1998) Science 280, 1256-8
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- D4 Otaegui et al (1994) Molecular Reproduction and Development 39, 147-52
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Wakayama et al (1999) Proc Natl Acad Sci USA 96, 14984-9, cited in the ISR, is not discussed in this report because the document was published after the publication date of the instant application.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

/NZ00/00179

VI. Certain documents cited**1. Certain published documents (Rule 70.10)**

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
WO 99 46982	23/09/1999	16/03/1999	16/03/1998

The document discloses the use of DNA synthesis inhibitors and microtubule stabilisers other than colcemid and nocodazole for synchronisation of nuclear transfer donor cell in G1 phase. However the citation does not disclose selection of G1 cells based on physical characteristics and picking of these cells to obtain a pure culture of cells in G1. Therefore the document does not deprive the amended claims of novelty.

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

/NZ00/00179

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 1-23 recite methods for generating animals using nuclear transfer. As such the claims include within their scope methods of generating human beings. A number of countries regard human beings as unpatentable subject matter and this may need to be addressed during the national phase examination in certain PCT states.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/NZ00/00179

A. CLASSIFICATION OF SUBJECT MATTER		
Int. Cl. ?: A01K 67/02, 67/027 A61K 48/00 C12N 5/16, 5/05, 5/08		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED		
Minimum documentation searched (classification system followed by classification symbols) WPIDS, CA: SEE BELOW		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched MEDLINE, AGRICOLA: SEE BELOW		
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) WPIDS, CA, MEDLINE, AGRICOLA: G1 phase, nuclear transfer, nuclear transplantation, embryo transfer		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
PX	Wakayama, T. et al "Mice cloned from embryonic stem cells" December 1999, Proc. Natl. Acad. Sci. USA 96(26), pages 14984-89. See the entire document.	1-55
PX	WO A 99 46982 (BRESAGEN LIMITED) 23 September 1999. See in particular pages 5, 6, 8 and claims.	1-13, 16-26, 28-30, 32, 33, 54, 55
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex		
* Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed		
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family		
Date of the actual completion of the international search 3 November 2000	Date of mailing of the international search report 10 NOV 2000	
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized officer TERRY MOORE Telephone No : (02) 6283 2632	

INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.
PCT/NZ00/00179

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report	Patent Family Member
WO 99 46982	AU 29135/99

END OF ANNEX